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California JOURNAL

INDEPENDENT ANALYSIS OF POLITICS AND GOVERNMENT

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Dianne Feinstein's Coup

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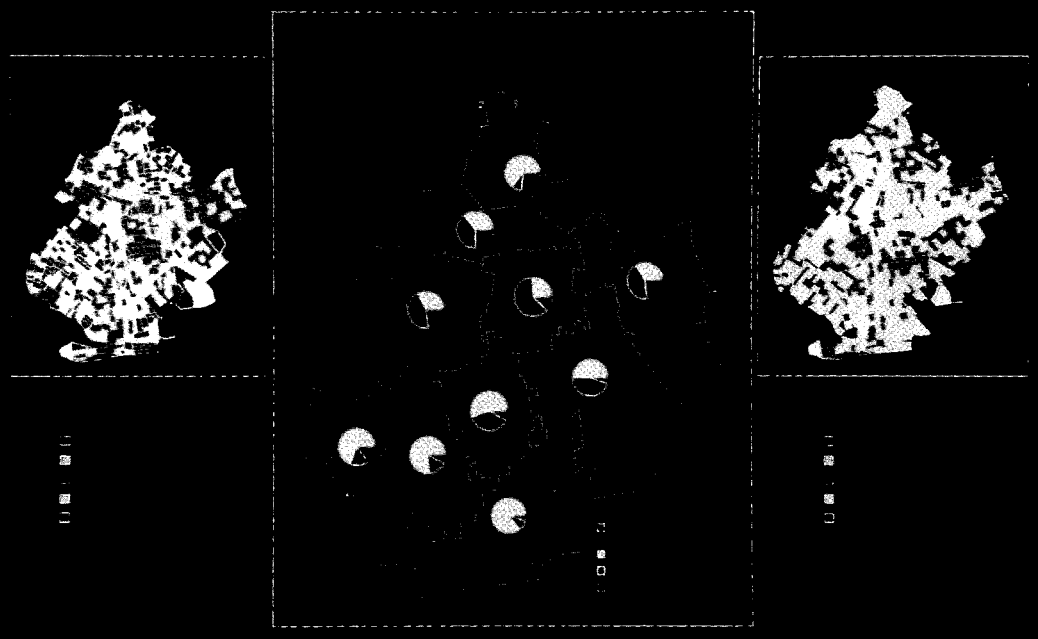

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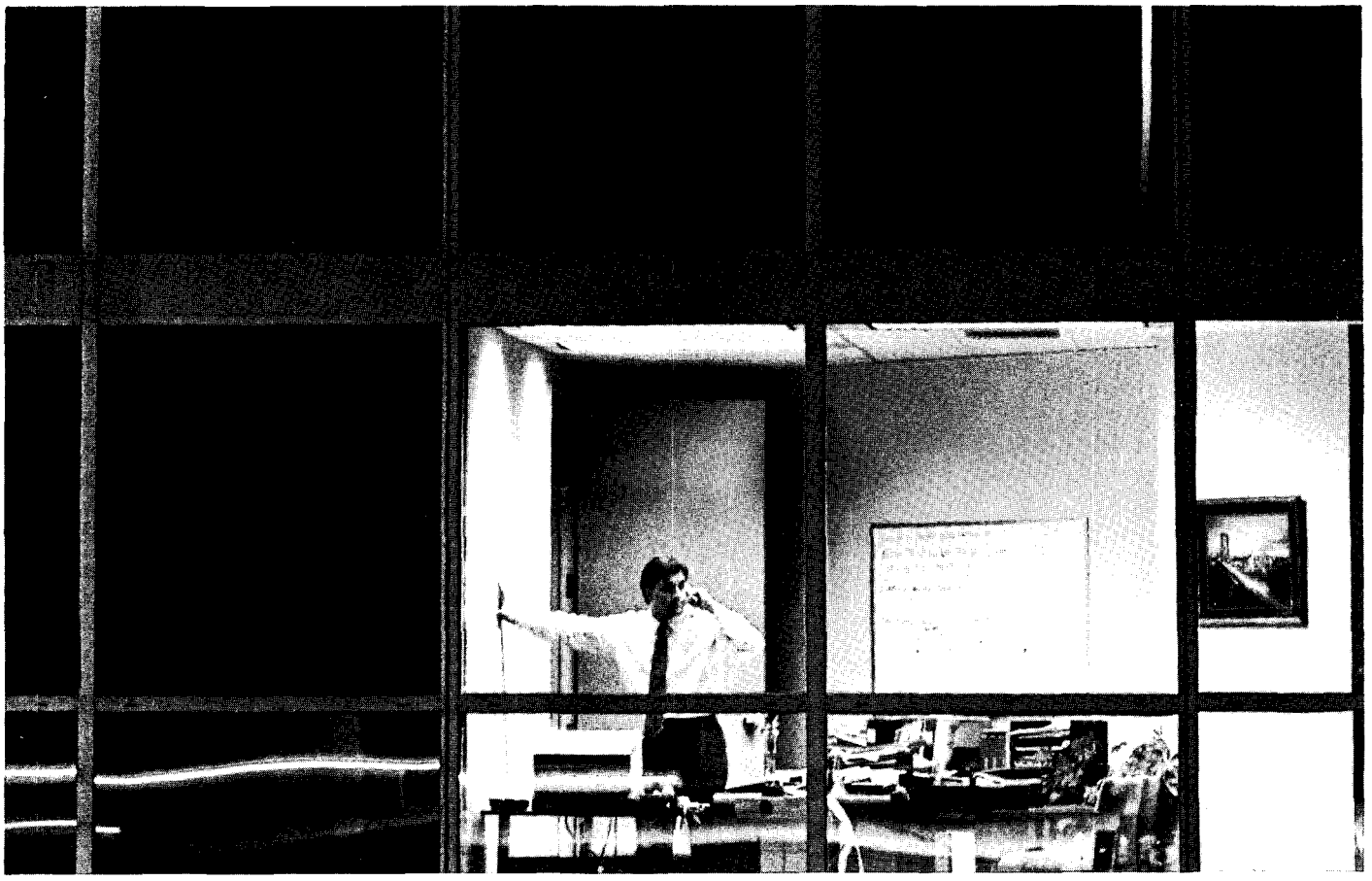

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JULY 1990
VOLUME XXI, NUMBER 7

California JOURNAL

20th ANNIVERSARY

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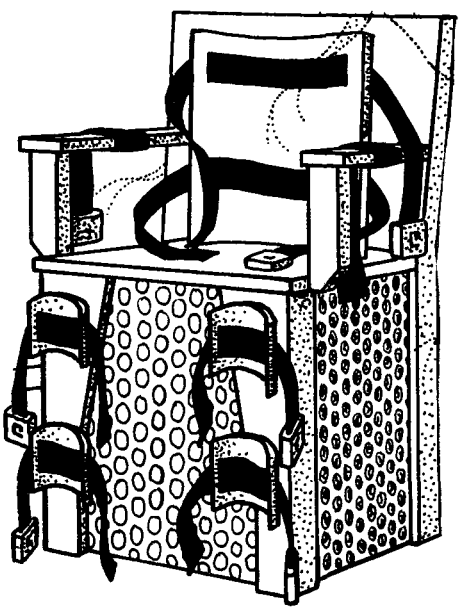

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UP FRONT

Last month, we published a photograph of the former mascot of the Department of Parks and Recreation in our story on the state park system (see "The problem with parks," *CJ*, June 1990). Only, we forgot to identify the mascot. It's Cali the Quail, shown here with an admirer. (Uh, Cali's on the left.) Alas, poor Cali has been retired and we understand has gone to that great bird sanctuary in the sky.

A note of pessimism? U.S. Senator Pete Wilson is advertising for interns to serve in his Washington, D.C., office, beginning this fall and continuing through the end of the year, or longer. Those interns shouldn't expect to spend much time with Wilson, however. He'll spend the fall months running for governor of California and, if elected, won't even be a senator when their internships end early in 1991.

Speaking of Wilson, California's junior senator won a championship of sorts recently. Seems Wilson led all members of Congress in donations from political-action committees run by Department of Defense contractors in 1987-88. Wilson collected $350,325 over that two-year span, $43,000 more than his closest competitor — Democrat Lloyd Bensten of Texas. The highest-ranking Californian in the House was Republican Bob Lagomarsino of Santa Barbara who finished 10th among 435 members of the lower house with $84,121 worth of donations. Republicans Bill Lowery, Duncan Hunter and Elton Gallegly finished 31st, 49th and 55th, respectively. Sacramentans Bob Matsui and Vic Fazio led the Democratic delegation, finishing 36th and 61st, respectively. In the Senate, Democrat Alan Cranston finished a distant 66th among 100 senators with $6000. Not surprisingly, Wilson's defense-vote ranking was 100 percent on the side of defense contractors. Cranston's was only 18 percent. Lagomarsino's was 95 percent, Lowery's 90 percent and Hunter's 94 percent. Matsui's and Fazio's were 26 percent and 58 percent, respectively. The results were listed in "Congress and Defense 1990," a book published by *National Journal*.

Creative writing 101. Hats off to Democratic state Senator Ruben Ayala. Why, the Chino lawmaker has gone a long way toward breaking down those grammatical barriers that keep press releases and political speech-making so mundane. The senator captured our imagination so much, we couldn't resist sharing one of his recent efforts, called, "Our ethical environment challenges new generation."

In consecutive paragraphs, Ayala wrote: "It's graduation season, that time of year when commencement keynoters implore captive audiences in caps and gowns to improve upon the present generation's way of running things.

"And when student orators recite our foibles and confidently predict how things will become shipshape when they take charge."

A little later, Ayala coined a new word: "Today's high school and college graduates step out into a world in ethical turmoil. This new crop of leaders must acknowledge and confront many unfully explored issues."

"Unfully."

We like that word.

It's refreshing when people use literary license to make a symphony out of a dirge. Or, whatever.

A fanatic is someone who can't change his mind and won't change the subject.
— Winston Churchill

Come across a blurb lately that's nosy, newsy or smart-alecky about California government, politics or politicians? Share it with the Journal. *We pay up to $25 for entertaining tidbits published in "Up Front." So, rush your items to Up Front, 1714 Capitol Avenue, Sacramento, CA 95814. Sorry, submissions cannot be returned.*

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ROSTRUM

Ethics

One source of ethical problems in our society is a dichotomy so deeply rooted in our culture that it runs right down the middle of your articles on ethics (see "The ethics jungle," *CJ*, April and June 1990). This is the idea that law and ethics are separate spheres. The problem is not that we have too many rules and not enough ethics, but that we have no ethics in our use of rules.

The attitude you criticize in members of the governor's staff is one you may very well cheer when a basketball player commits a "smart foul" on a poor free-throw shooter about to make an easy lay-up. In the same way, when legislators are accustomed to thinking that the tax law is not about the just apportionment of the costs of government but simply a device to encourage home ownership or business investment, it is not surprising that they look at rules governing their own ethical conduct with the eye of a tax lawyer seeking loopholes for a client. This

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does not let politicians or law professors off the hook, but it does suggest that journalists, as partial custodians of our culture, also have a role to play. Any reporter who decides to write about politics as something other than a spectator sport and to depict the Lyndon Johnsons and Bill Laimbeers of the world as not just "colorful" or "effective" characters is likely to find his or her "objectivity" questioned and to be accused of sanctimoniousness or worse by editors and colleagues.

Since our own lives are riddled with moral ambiguity and petty hypocrisy, it is easy to fall back on the ethics of role — "it is not my job," whether as teacher, reporter or legislator, to raise moral questions about things that we and our colleagues do. But as some genius once observed, it is not the purpose of ethics to make our lives easy.

KENNETH GRAHAM JR.
Professor of law
UCLA

Parks

Concerning your article on parks (see "The problem with Parks," *CJ*, June 1990), I agree that California's parks and recreation agency (DPR) should play a more effective role. But California is radically changed from the past glory days the article cites as a model for future action.

Howard Jarvis and Paul Gann tapped a deep vein of taxpayer angst when their Propositions 13 and 4 changed the public-financing landscape in 1978 and 1979. Subsequent Reagan-era budget and trade deficits, plus the savings-and-loan bailouts, will sop up huge gobs of public money that could otherwise be spent on parks or other important priorities.

At the same time, California's population zooms upward. And its mix of peoples is much more varied than anyone would have imagined back in the "good old days." Increasingly, a higher percentage of Californians live in modest economic straits in sprawling urban blobs — mostly near the coast. The recreational facilities and parks needed by urban Californians are far different than the more remote, back-country sites offered by the park systems of yesteryear. Urbanites need facilities and parks located close-by; in some cases, by public transportation.

Responding to these changes, the state's parks department should emphasize its role as coordinator and facilitator — making deals with other agencies at all levels and with private operators to supply needed recreation facilities and programs within shrinking budgets. Better coordination will improve efficiency and encourage the synergy that develops when skilled people are unleashed to work more freely together as a team. Of course, this requires trimming layers, breaking down walls between cubbyholes in the bureaucratic labyrinth and introducing management innovations — changes long overdue in the park business.

Recently, the parks department prepared an excellent plan spelling out changes impacting recreation in California and listing the most promising responses. Now, political direction and effective leadership to put new ideas into action are needed, a looming challenge for the next governor.

MERICK CHAFFEE

The Department of Parks and Recreation has not been left out of the "green revolution." It departed voluntarily quite a while ago. Back in the days of William Penn Mott, Parks officials decided to turn all members of the ranger corps into fully qualified "peace officers." The decision allowed the department to meet a growing demand for law enforcement without sharing park management with other agencies. The process was costly and time-consuming and, even today, many rangers have yet to adopt fully the police ethic.

Nevertheless, law-enforcement officers are now the department's largest and most influential group of employees. The issues they face in fighting crime (crowd control, drug interdiction, etc.) are the most pressing concerns of park managers at all levels. As a result, the longtime struggle between advocates of recreation and resource protection has been settled. Both sides lost.

Only by abandoning its emphasis on law enforcement — a prospect too unlikely to merit serious consideration — could the Parks department return to its former place in the environmental movement.

DONALD NAPOLI
Sacramento

Regarding your article on problems in the state park system, it is precisely those concerns for the integrity of the system that are vital to the interests of the California State Park Rangers Association (CSPRA). CSPRA is an organization of park professionals dedicated to the preservation of park resources and sound management principles.

Though the article was fraught with excellent examples of a park system gone awry, it neglected the primary changes that now cripple the Department of Parks and Recreation. Those primary changes are largely philosophical. The root problem is one of straying from the founding philosophy that created the first state park, Yosemite, in 1874: to set aside (preserve) areas for their magnificent intrinsic and inspirational values to be held inviolate for all time. Such lands could be safeguarded from exploitation, as was occurring at an ever-more-rapid pace all across this great nation.

Recreation, intended to permit an opportunity for the public to experience and appreciate these natural wonders, was *always* meant to be subordinate to these natural resources. Yet today, recreation development meant to enhance activities now drives the Department of Parks and Recreation. The department employs considerably more recreation-and-development planners than it does scientists and interpreters. Park rangers spend their days and nights patrolling the parks, mainly to protect people from people, and scarcely any time interpreting the natural and cultural treasures the public is presumably there to experience.

Thus, the once-premier land-preservation agency of state government is now, according to a recent advertisement in *Sports Illustrated*, only providing natural areas as a scene, a backdrop, where you can "do your own thing."

MAURICE GETTY
President
California State Park Rangers Association

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Your article on California's state park system mentioned but did not sufficiently stress the system's number-one problem — eight years without a state park system plan. A good, current plan would provide the California Department of Parks and Recreation with badly needed vision and programmatic direction. It would help it fend off assaults by anti-park interests and pork-barrel legislators. Such a sharp focus and common cause also would increase public support and staff morale.

Only one of the six revolving-door directors who have led the department during the last two administrations showed any interest in such planning. Another director scorned planning as an "impediment to his management options." Others disparage planning because a primary budgetary criterion for spending is visibility: low priority is automatically given to agency spending on anything that the park visitors aren't likely to notice, and few visitors notice the absence of a system plan.

Sooner or later, however, the public will notice the long-range results of no planning: inadequate acquisition and development programs, inadequate maintenance of the existing park infrastructure, inadequate management of priceless natural and cultural resources, and inadequate interpretation programs for park visitors. To this depressing list can be added the increasing lack of respect by the administration, the Legislature and by the general public.

Hopefully our next governor will not consider planning an inappropriate activity for government. Without a strong new director for the Department of Parks and Recreation, backed up with a visionary but practical state park system plan, our state park and recreation areas will be doomed to increasing damage, loss and mediocrity.

BERN SHANKS
President
California Parks and Conservation Association

Transit by-pass

Your article on public transit in African-American communities (see "Light rail run-around," *CJ*, March 1990) focused on the need to create rail transit for Southwest Los Angeles and raised many positive points:

- Communities in Los Angeles want rail transit. In March the Los Angeles County Transportation Commission approved a plan to construct, within a 10-year period, the next three rail lines for Pasadena, the San Fernando Valley, and an extension of the Green Line from the Glenn Anderson Freeway north to Los Angeles Airport. This was done because all three communities insisted that their line not be delayed. It should also be noted that the Green Line has a station serving the southern portion of Inglewood, while its extension (North Coast) has stations in Westchester and the airport area — all in Southwest Los Angeles. The Green Line and its extension are scheduled to begin service in 1994.
- The first line opening, this July, is the Long Beach-to-Los Angeles Metro Blue Line, providing service to Watts, Lynwood, Compton and other communities which are predominantly African-American and Latino. We estimate that African-American and Latino riders will comprise 60 percent of Blue Line patronage.

The LACTC commends Democratic Senator Diane Watson for her leadership and outstanding work to mobilize community interest and support for rail development serving her community. Her efforts to generate interest and support are definitely important to our future decisions, and we look forward to working closely with her, with community leaders and with other elected officials in meeting the needs of this area. Senator Watson continues to lend her strong support for the LACTC's acquisition of the Southern Pacific Exposition Boulevard rail right-of-way, which crosses the northern part of her district. LACTC is currently negotiating with the railroads to acquire 150 miles of rail rights-of-way, including the Exposition Line.

It must also be remembered that in 1985 Congress mandated that the planned alignment for the metro Red Line be redrawn to avoid the identified methane risk zone in the Wilshire-Fairfax area. As a result, plans for a western and eastern extension of the federally-supported subway are currently under environmental review. This process will take until late 1992, when we will determine the most effective routes to serve commuters in West/Southwest Los Angeles and East Los Angeles. This congressionally mandated re-alignment had the effect of delaying, for now at least, construction in areas represented by Congressman Julian Dixon, Councilman Nate Holden and Senator Watson.

Obviously the biggest impediment for the LACTC is the lack of adequate financing to advance rail projects faster than the current timetable, which is already ambitious. We certainly hope that the interest currently being generated signals that passage of Propositions 111 and 108 this past June will provide much needed financing to support rail development throughout Los Angeles County to meet the challenges of 2000 and beyond.

NEIL PETERSON
Executive Director
LACTC

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Feinstein

Primary e

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How's this for a shocker: Next year, more than half of California's statewide office holders could be women.

It would be a remarkable turnaround for women, who now make up a majority of the electorate and who previously have held no more than one constitutional office at a time.

Women fared remarkably well in the June 5th primary amid evidence that they were voting for themselves in record numbers and that the male portion of the electorate was generally amenable to giving them a chance. Dianne Feinstein scored a convincing primary victory over her Democratic opponent, Attorney General John Van de Kamp. State Senator Marian Bergeson captured the Republican nomination for lieutenant governor on the strength of the

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Wilson

Photos by Rich Pedroncelli

women's vote, despite the fact that post-election polling showed these voters actually agreed more strongly with the pro-choice stance of her opponent, Senator John Seymour of Anaheim. Kathleen Brown, daughter of one governor and sister of another, won the Democratic nomination for state treasurer against token opposition, and the state will be assured of at least one female constitutional officer because Los Angeles City Councilwoman Joan Milke Flores captured the Republican nomination for secretary of state and will face Democratic incumbent March Fong Eu.

In fact, the only major woman candidate defeated in the primaries was Angela "Bay" Buchanan, who was making a right-wing challenge for the Republican nomination for state treasurer against appointed incumbent Tom Hayes.

Continued on next page

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Governor

Feinstein, the former San Francisco mayor, made good use of gender in her uphill battle to win the Democratic nomination.

Even though, for the most part, women's groups supported Van de Kamp because of his strong record in support of feminist issues, Feinstein argued that it was the woman running for office who could best protect women on such basic issues as abortion. The fact that Van de Kamp, a Catholic, is personally opposed to abortion, did not help his cause.

Feinstein finessed the issues where women are traditionally vulnerable, positioning herself as tough on crime because of her support for the death penalty, and as practical because of her generally moderate stance while mayor of liberal San Francisco.

Exit polls showed that the women's vote broke three-to-two for Feinstein, as did the large proportion of the electorate that was undecided up to the last minute.

For Feinstein, the victory capped one of the more remarkable political turnarounds in recent California politics. It was only a year ago that Feinstein trailed badly in the polls. Recuperating from surgery, she was virtually invisible politically. Her long-time campaign manager, Clint Reilly, pulled out of the campaign, saying she did not have enough desire. And there was considerable speculation that it wouldn't be long before Feinstein, too, called it quits.

Just before this point, the Van de Kamp campaign made what was probably its most crucial choice. Under the direction of Richie Ross, who had built his career as the chief political operative for Assembly Speaker Willie Brown and who was now working for his first statewide candidate, Van de Kamp decided to sponsor three initiatives that would help position his fall campaign against the expected Republican nominee, U.S. Senator Pete Wilson. In other words, his campaign committed a classic blunder of politics and sports — taking victory for granted, it looked past its immediate opponent to focus on the next, and more important, contest. And it did so in such a cumbersome and inflexible way that it was unable to respond after being blindsided by Feinstein.

Each of Van de Kamp's initiatives — on crime, the environment and ethics reform — garnered Van de Kamp a lot of free publicity and gave him a further boost in the polls. But the decision meant that the candidate would have to raise a lot of money to make sure that the three measures qualified for the November ballot. Under the new campaign financing rules imposed by Proposition 73, Van de Kamp was limited in how much he could collect from each contributor for his gubernatorial campaign but not in how much he could collect for the propositions. Thus, the logic ran, the Van de Kamp campaign could pick up the maximum campaign contribution under Proposition 73, and then — with little extra work — pick up a little extra for the proposition drive.

The tactic, however, backfired. With the deadline for submitting petitions falling about a month before the primary, Van de Kamp had to squander precious resources obtaining petition signatures. It was been estimated that the three initiatives ended up costing his campaign for governor somewhere around $1 million, money that could have been used for television advertising in the crucial final weeks of the campaign.

The decision has been roundly criticized in the political press since the election. But at the time, it looked like a good move. Van de Kamp campaigns with a handicap; no matter what he does, he just doesn't seem very exciting. That being the case, the Van de Kamp campaign was searching for ways to distinguish its candidate from Wilson — since Feinstein was no longer considered a significant factor. An array of initiatives seemed to be just what the doctor ordered.

But Van de Kamp's blandness turned out to be his fatal problem when Feinstein — now equipped with a new campaign organization and money from her wealthy financier husband, Richard Blum — unleashed her first campaign commercial in late January. The commercial, featuring news footage of Feinstein following the assasination of Mayor George Moscone, was incredibly effective and went unanswered by Van de Kamp, who was hording his money for a closing media blitz. The commercial moved Feinstein into an 11-point lead in the polls. The polls showed an increasing number of the electorate was entranced with this woman who billed herself as "tough and compassionate."

GOVERNOR		
Abbott (D)	18,861	(1%)
Anderson (D)	15,308	(1%)
Byrne (D)	11,588	(1%)
Calney (D)	7,880	(.3%)
Feinstein (D)	**1,296,589**	**(52%)**
Geraty (D)	22,968	(1%)
Mahon (D)	17,677	(1%)
Pineda (D)	24,300	(1%)
Thomas (D)	34,060	(1%)
Van de Kamp (D)	1,012,516	(41%)
Wong (D)	15,528	(1%)
Bullock (R)	51,362	(3%)
Greene (R)	74,968	(4%)
Williams (R)	101,386	(5%)
Wilson (R)	**1,741,298**	**(88%)**
McCready (AI)	**8,594**	**(54%)**
Morsa (AI)	7,238	(46%)
Thompson (L)	**11,113**	**(100%)**
Munoz (P&F)	**3,217**	**(56%)**
Woo (P&F)	2,487	(44%)

In contrast, the public never got a handle on John Van de Kamp. Despite his endorsements by women's groups, Feinstein remained the choice of the female electorate. Although he vowed to clean up the "swamp" at the state Capitol and Feinstein got the endorsement the leaders in both houses of the Legislature, it was Feinstein who was perceived as the outsider. And even with the endorsement of Ralph Nader and most environmental groups, he never really established himself as the champion of the environment.

Finally, Van de Kamp secured the official Democratic Party nomination after contested balloting during the state convention. It marked the first time such an endorsement had been allowed in modern times, and it turned out to be worthless.

In short, nothing Van de Kamp did lowered the esteem in which Feinstein was held by the electorate. And Feinstein, after saying that Van de Kamp had started the nastiness, probably did some damage with her last-minute commercials reminding voters that it was then-Los Angeles County District Attorney Van de Kamp who had declined to prosecute the Hillside Strangler. It may turn out that

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Feinstein is the latest in a long series of California politicians who through grace and television presence will, at least for a time, be given a Teflon coating by the electorate.

Republican Wilson wasted no time trying to take some of the gloss off the Feinstein victory. With some $3.5 million in the bank, Wilson released a trio of television spots in the week following the primary in an effort to shore up his own image as a supporter of women's rights and the environment. One of his commercials included praise from Feinstein for all the help he had given the city of San Francisco.

To a great extent, Wilson suffers from the same problems as Van de Kamp. Although he has been on the political scene for a long time, his image with voters is still largely unformed. What does exist is of a competent, if colorless, politician who won his Senate seat in large margin because he was running against former Governor Jerry Brown, who by then had worn out his welcome with the electorate. He won reelection two years ago against the equally bland Lieutenant Governor Leo McCarthy. Wilson, though, has one advantage Van de Kamp never enjoyed — the money he needs to buy television time.

Indeed the one area where Feinstein's strengths as a candidate remain unproven is her ability to raise money. For the primary, she could call on her husband, who had provided around $3 million — more than half what Feinstein spent — by the time the last campaign spending report was filed. Although he is a wealthy man, it is by no means certain he will have the desire or ability to provide the far greater amounts needed for a general election campaign. Had Feinstein been married to a man of only average means, the chances are excellent that Van de Kamp would have won the nomination and Feinstein — campaign skills or no — would have remained an interesting footnote in the political history books.

Lt. Governor

If 1990 is to be the year of the woman in state politics, the strongest evidence for it was the victory of Newport Beach state Senator Marian Bergeson in the Republican nomination for lieutenant governor.

This was a low-profile campaign with more than half of the electorate remaining undecided into the final weeks of the campaign, and it presented — at least on the surface — one clear distinction between the two candidates: Bergeson, a Mormon, is strongly anti-abortion, while her opponent and fellow senator, John Seymour, is pro-choice, having switched to that position about a year ago.

Otherwise, the two contenders were very similar in outlook. Both are bright, relatively moderate Republicans from adjacent Orange County districts. Unlike some of their more doctrinaire colleagues, both Bergeson and Seymour have a reputation for being able to fashion a compromise with the Democrats who control the Legislature.

But an odd thing happened on election day. According to exit polls, women Republicans, even those who were pro-choice, voted for Bergeson, apparently because they were under the impression that the woman candidate was backer of the pro-choice position. It's unlikely that this impression can be maintained through a general-election campaign, however, and this should present an interesting problem for Pete Wilson at the top of the ticket, who may be

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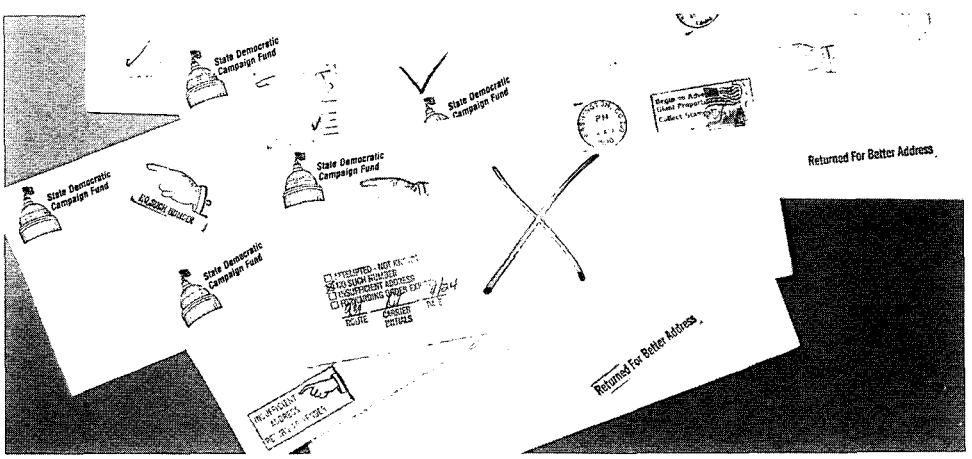
Party Poopers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forced to spend some of his time defending Bergeson.

Bergeson's position is also a break for Democrat Leo McCarthy, who is seeking his third term as lieutenant governor. McCarthy, another of the state's competent but colorless politicians, was defeated by Wilson two years ago when he tried to step up to the U.S. Senate. Many thought

Leo McCarthy

Marian Bergeson

John Seymour

LIEUTENANT GOVERNOR		
McCarthy (D*)	**2,128,328**	**(100%)**
Bergeson (R)	**1,002,110**	**(55%)**
Seymour (R)	814,679	(45%)
Short (AI)	**9,793**	**(63%)**
Szychowski (AI)	5,772	(37%)
Bajada (L)	**11,050**	**(100%)**
Cadabes (P&F)	1,893	(34%)
Kuhn (P&F)	**1,949**	**(35%)**
Mar (P&F)	1,760	(31%)

McCarthy might bow out of politics after his unsuccessful Senate try, but the former Assembly speaker instead said he would seek a third term in an office that most believe is useful only as a holding area for those wanting to run for higher office.

Bergeson's abortion position is likely to become a high-profile issue, and should give a boost to the McCarthy campaign. Ironically, this is not the first time McCarthy has run against a woman for the post. In 1982 he defeated Republican Carol Hallett, a former Assembly minority leader, to win his first term in the office.

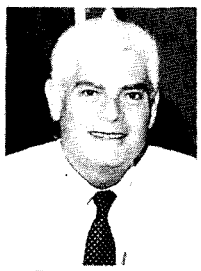
Attorney General

The Democratic primary was supposed to be a cake walk for Los Angeles District Attorney Ira Reiner. After all, being district attorney of Los Angeles, the nation's largest prosecutorial office has served as the stepping stone to becoming attorney general; just ask John Van de Kamp. Furthermore, Reiner has been one of the most aggressive users of the media in vote-rich Southern California, and he was far better known to voters there than his opponent — balding, inarticulate Arlo Smith, the district attorney of San Francisco.

But something went awry, and on election day, Smith ended up with 52 percent of the vote and will have opportunity to face another telegenic opponent — former Congressman Dan Lungren, who was unopposed for the Republican nomination.

Smith beat Reiner by a combination of luck and sheer persistence. While Reiner confined his campaign to television and ignored Northern California, Smith was peripatetic, traveling around the state and making every personal appearance possible. He even engaged in a couple of debates with Lungren, debates Reiner was invited to but did not attend. The election-day tallies show the down-side of such a strategy: Reiner won modestly in most of the state's media markets, Southern California, Fresno and Sacramento, but he was clobbered in the San Francisco Bay area and in the rural portions of the state he had ignored. Those sections rolled up big margins for Smith and brought Reiner to defeat.

Reiner was also hurt in Southern California by ongoing publicity over the McMartin pre-school case, where the op-


Ira Reiner

Arlo Smith

Dan Lungren

ATTORNEY GENERAL		
Reiner (D)	1,080,865	(48%)
Smith (D)	**1,172,175**	**(52%)**
Lungren (R)	**1,615,258**	**(100%)**
Gautreau (L)	**10,999**	**(100%)**
Evans (P&F)	**4,541**	**(100%)**

erators of a day care facility were accused of molesting children. The first lengthy trial ended in a hung jury, and Reiner refiled some of the charges and sought a second trial. Just before the election, the presiding judge accused Reiner of acting improperly because the judge had been telephoned privately by Reiner's office.

Overall, the Smith-Reiner contest was perhaps the nastiest of the primary. Each accused the other of improprieties, and there was frequent and fruitless debate over which office has the better record on criminal prosecutions, even though criminal cases are the smaller portion of the state attorney general's job.

Smith will now face the more daunting task of taking on Lungren. The former congressman from Los Angeles was little known to most Californians until two years ago when Governor George Deukmejian named him as his first choice to succeed the late Jesse Unruh as state treasurer. But Democrats, afraid they would be promoting a bright, attractive conservative to statewide prominence, vetoed his nomination in the state Senate. By then, Lungren had already decided to give up his seat in Congress on the expectation that he would become treasurer.

It may turn out that losing that post was the best thing that happened to him. The fight for confirmation with the Legislature gave Lungren new visibility, and Republicans cleared the decks for his run as attorney general, presumably because they felt he was owed the chance at statewide office.

If the early comments from the candidates are any indication, it appears they will pick up right where the primary left off. In an early press conference, Lungren called Smith a "Rose Bird liberal," and brought up an eight-year-

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old incident where Smith was briefly detained by San Francisco police for drinking, something even Reiner did not do.

Lungren starts his campaign for statewide office with some substantial advantages. Since he was unopposed in the primary, he has a head start on raising money for November. He is much better looking and more articulate than Smith. But he also is on the wrong side of public-opinion polls on issues like abortion and off-shore oil drilling. Lungren, who has never been a prosecutor, may find the San Francisco Democrat a more pugnacious campaigner than he imagined.

Treasurer

Angela "Bay" Buchanan had hoped Republican voters would be as enchanted as she with the idea of a "battle of the little sisters." Buchanan thought it would be great fun — and give voters a clear choice — if she had faced Democrat Kathleen Brown in the November general election. Brown, of course, is the little sister of former Governor Jerry Brown. Buchanan's older brother is Pat Buchanan, the famous conservative columnist.

Buchanan also felt that the current treasurer, appointed incumbent Tom Hayes, lacked appropriate conservative Republican credentials. As a result, Buchanan decided to buck the state's Republican hierarchy — particularly George Deukmejian, the man who gave Hayes the job — and challenge Hayes in the Republican primary.

Although Buchanan had a knack for getting publicity, and she garnered the support of some of the party's die-hard conservatives, she failed to raise enough money to counter the television advertising Hayes was able to purchase in the closing days of the campaign.

Hayes, who as the state's appointed auditor general had refused to register in a political party, was appointed treasurer after Deukmejian's first choice, Dan Lungren, was rejected by the state Senate.

Hayes campaigned on the notion that he is a competent, professional financial manager, and that that is the type of person Californians want investing their tax dollars. He invited a steady stream of reporters to visit the treasurer's office when he arrives at 6:30 on most mornings to take a personal role in the daily activity of investing the state's dollars. To those who said he lacked the political experience or will to hold on to the post, he countered with his experience as a squad leader in Vietnam and said he would do whatever was necessary to win.

Buchanan first criticized him for not being a "real Republican" and then questioned his ethics because Hayes took campaign contributions from financial houses that do business with the treasurer's office. Buchanan refused these contributions, but it was no great loss for her since she wasn't going to get much money from this source in any case. Although she made an initial splash with the charges, the pitch could not be sustained with a political press that had long exposure to Hayes when he was an auditor general of unquestioned integrity.

Buchanan had predicted that she would beat Hayes in the primary if she could come close to matching his television time in the closing weeks. She couldn't, and now Hayes will be facing the newest Brown on the statewide political scene.

Kathleen Brown

Tom Hayes

Angela "Bay" Buchanan

TREASURER		
Brown (D)	**1,400,955**	**(65%)**
Sanders (D)	742,846	(35%)
Hayes (R*)	**963,580**	**(54%)**
Buchanan (R)	833,335	(46%)
Meeuwenberg (AI)	**13,995**	**(100%)**
Lewis (P&F)	1,457	(27%)
Nakano (P&F)	**2,453**	**(45%)**
Shireman (P&F)	1,566	(29%)

In Kathleen Brown, Hayes will find a formidable opponent. Brown is clearly hampered by residual ill-will toward her brother, who at the end of his time in office was an unpopular political figure and who may be as responsible as anyone for the strong showing of his sister's opponent — unknown Westley Sanders — in the Democratic primary for treasurer. Still, she is an attractive and tough campaigner who was raised in a political family and knows her way

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around the state.

Brown's campaign is based on the premise that the state needs more than just a number-cruncher as treasurer; that it needs a policy leader as well. To that end she has complained that Hayes is not moving fast enough to sell the backlog of bonds approved by voters and that the state could take a more activist role with its investments while still maintaining safety and a high return. Hayes has countered that selling bonds too fast could flood the market and ultimately hurt California.

Whether or not voters pay attention to the meat of a bond-selling issue, Kathleen Brown's presence will likely create an unusually high-profile campaign for an otherwise obscure office. Not as high, however, as had it been a "battle of the baby sisters."

Insurance Commissioner

What's going on here? Has the voters' vitriol toward the insurance industry abated? Have they become disenchanted with the political process after passing Proposition 103 and seeing no insurance rate cuts?

What does it mean when, on the day after the primary, groups that represent the state's insurance companies put out a press release praising the major party nominees as "candidates who are capable of engaging in a rational dialogue" on insurance questions?

Are these the survivors of a campaign where more than one candidate said he was the man that the insurance companies feared most?

You bet they are.

Conway Collis

John Garamendi

INSURANCE COMMISSIONER		
Blanco (D)	68,391	(3%)
Bourhis (D)	112,898	(5%)
Collis (D)	379,653	(17%)
Garamendi (D)	**813,118**	**(36%)**
Murphy (D)	76,295	(3%)
Press (D)	638,696	(28%)
Zelman (D)	189,363	(8%)
Bannister (R)	**468,875**	**(28%)**
Dunlop (R)	112,170	(7%)
Harden (R)	311,886	(19%)
Parise (R)	415,175	(25%)
Skornia (R)	352,994	(21%)
Brown (L)	**11,028**	**(100%)**
Condit (P&F)	**2,897**	**(57%)**
Duren (P&F)	2,189	(43%)

Bill Press

Walter Zelman

Wes Bannister

Democrats selected state Senator John Garamendi of Walnut Grove, making his third try for statewide office, as their standard bearer. Republicans nominated (Are you ready for this?) an insurance agent — Wes Bannister of Huntington Beach.

In a field of hysterics, Garamendi and Bannister represented the voice of moderation, saying they would try to thoughtfully figure out ways to cut insurance costs, which might even mean doing things to lower insurance company costs. Their campaigns were the exceptions that apparently appealed to voters.

It is generally felt that Republicans will have little chance of winning this consumer-oriented job, and so the Democrats campaigned against each other on the notion that the candidate who appeared to be the biggest consumer advocate would win the biggest chunk of the Democratic primary vote. To that end, a variety of strategies were tried.

Conway Collis, a member of the state Board of Equalization and longtime luster after higher office, snuggled as close as he could to Harvey Rosenfield, the author of Proposition 103 and ally of consumer guru Ralph Nader. Not surprisingly, Collis came out on top of a Nader-written survey designed to reveal just which of the candidates was the best consumer advocate. There were open suspicions that the survey was written so that Collis would win. But even this turned out to be trouble when a second candidate, consumer attorney Ray Bourhis, finished one question behind Collis and then questioned one of Collis' answers.

Bill Press, who when he's not running for office is the designated liberal on Los Angeles television public-affairs shows, had the support of trial lawyers. Walter Zelman's campaign floundered after the secretary of state's office ruled he could not list his former occupation on the ballot. Zelman had been executive director of California Common Cause before resigning to run for insurance commissioner.

Garamendi's win was aided by the presence of Press, Zelman and Collis. Hard-core consumer advocates said afterward they blew the election by dividing up the votes among too many people, allowing the more moderate Garamendi to win.

Whatever the case, Garamendi, who heretofore has never won a primary for a statewide office, stands his best chance of moving up. That possibility has already sparked rumors that his attractive and popular wife, Patty, may try to succeed him in the state Senate.

Secretary of State

After flirting three years ago with the notion of running for the U.S. Senate, incumbent March Fong Eu is running for her fifth term as secretary of state. She will face Los Angeles Councilwoman Joan Milke Flores who edged out deputy

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district attorney Gordon Levy of Sherman Oaks for the Republican nomination.

Flores is an attractive candidate with the potential to one day move beyond the L.A. Council. Her only problems are that Eu remains the most popular constitutional

March Fong Eu

Joan Milke Flores

SECRETARY OF STATE		
Eu (D*)	**1,969,581**	**(85%)**
Evans (D)	357,075	(15%)
Flores (R)	**936,676**	**(53%)**
Levy (R)	844,497	(47%)
Nicholoff (AI)	**13,855**	**(100%)**
Watson (L)	**10,978**	**(100%)**
Alarcon (P&F)	**3,079**	**(57%)**
Fausto (P&F)	2,359	(43%)

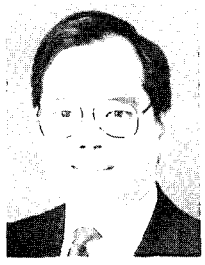
officeholder in the state and that the job itself is so ministerial in nature that there is almost nothing to build a campaign around.

Maybe Flores sees some hope in the fact that Eu's Senate bid never got off the ground, but in all likelihood, she will become the next in a series of potential-laden Republicans to lose to Eu.

Controller

The primary for state controller was uncontested on both sides, so the focus already has shifted to November where first-term Democratic incumbent Gray Davis will square off against Republican Matt Fong, son of Secretary of State March Fong Eu. Much of the interest in the fall campaign will center on whether or not Fong is able to use "mom's coattails." It's not entirely clear if mom has any coattails, or if she will allow her son to use them. Mom, of course, is a Democrat. Is she supposed to help her Republican son, or try to beat him? And how about the son? Can he

Gray Davis



Matt Fong

CONTROLLER		
Davis (D*)	**2,111,537**	**(100%)**
Fong (R)	**1,581,930**	**(100%)**
Kaiser (AI)	**13,861**	**(100%)**
Tryon (L)	**10,999**	**(100%)**
Isaacson (P&F)	1,756	(32%)
Rose (P&F)	**1,897**	**(35%)**
Torres (P&F)	1,760	(33%)

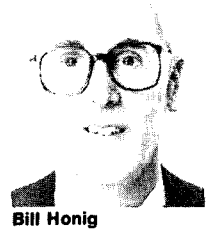
campaign against his mother, as members of a statewide ticket are supposed to do? Will voters care at all about the outcome of this touching soap opera?

Not likely. In all probability, Controller Davis — who decided to seek reelection rather than contest Feinstein and Van de Kamp for the gubernatorial nomination — will have a chance to wait and see when a new opportunity might arise to run for higher office.

Superintendent of Public Instruction

Incumbent Louis "Bill" Honig managed to win a third term outright by gaining 55 percent of the vote against three poorly-financed competitors. Honig, rightfully, has received some of the credit for pushing the state's school system toward needed reforms. But his outspoken ways at times have annoyed other politicians — most notably Governor George Deukmejian — and probably resulted in Honig coming up with little support when he flirted briefly with the notion of running for governor himself.

Although Honig wasn't pressed this time, he should be a little concerned by the fact that his margin of victory dropped precipitously this time. Four years ago, he collected 78 percent of the vote to win reelection. This would also be a good time to remind Honig that the state's voters have a way of growing tired of their schools' chief after a couple of terms on the job. If Honig has any questions, he might want to note the fate of former superintendents Max Rafferty and Wilson Riles. In 1970 two-term incumbent Rafferty lost to Riles, who served three terms before being ousted in 1982 by Honig himself.



Bill Honig

SUPERINTENDENT OF PUBLIC INSTRUCTION		
Honig (*)	**2,416,958**	**(55%)**
Isler	504,517	(12%)
Koppel	724,661	(17%)
Rodriguez	737,575	(17%)

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Board of Equalization

In most years this usually obscure set of offices attracts little attention. But a combination of circumstances has made at least some of the contests here a little more interesting than usual.

For one thing, a more political breed of office-seeker has found a home on the Board of Equalization. Why? Despite a total lack of evidence, there are those who believe this board, which sets the property-tax rate for utilities and collects most state taxes other than the income tax, can be a starting point for higher office. Given that all other high-profile jobs are nailed down, some eager-beavers have clustered around this not-so-high-profile job. The latest eager-beaver to learn this lesson about the board was Conway Collis, who tried to make the jump this year with a run for insurance commissioner. Collis finished third with not quite 17 percent of the vote.

Collis' try for higher office opened up the Second District board seat, an elongated district that runs from the San Francisco Bay area to Los Angeles. The race brought out two former assemblymen trying to stage a political comeback — Republican William Duplissea of San Carlos and Democrat Lou Papan of Millbrae. Alas, both were beaten, and by good margins.

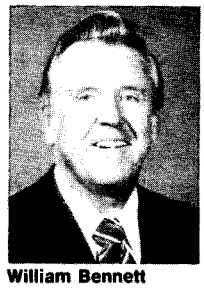
Instead, the Democrats chose an accountant, Brad Sherman of Granada Hills, as their standard bearer. Republicans nominated business executive Claude Parrish of Beverly Hills as their representative. The district has a strong Democratic base so the advantage in the general election is presumed to go to Sherman.

The presence of a more political breed on the board has given the board a higher profile, but not always for the good. For instance, some board members have been criticized for doing favors for firms that have given them campaign contributions. And two district primaries were touched by scandal, although it did not seem to make any difference in the outcome.

In the Fourth District, which is centered in Los Angeles, incumbent Democrat Paul Carpenter has been indicted as part of the FBI sting operation of the Legislature. He was nominated anyway, winning 45 percent of the vote against five opponents. But his trial is set for this summer, and that could give Republican Joe Adams Jr., an auditor for the board, a chance to slip in and win this seat that otherwise should go to a Democrat.

The other breath of scandal touched board member William Bennett, a Democrat from the First District in Northern California. Bennett was accused of abusing his travel expense fund in information leaked to the press by a Bennett opponent. The charges came as a surprise because Bennett is often the lone dissenter from the board's new political ways. He has for the most part eschewed political contributions and has a reputation as the board's maverick. He denied he had done anything improper and captured 63 percent of the vote to win the nomination for his sixth term. He will face Republican Jeff Wallack of Sacramento in November.

The Third District, centered around San Diego County, renominated Republican Ernie Dronenburg, another board member who would like to move up. He will be the odds-on favorite to beat Democrat Floyd Morrow of San Diego in November.

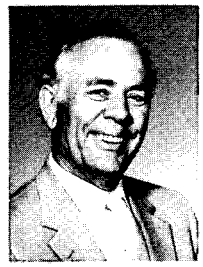


William Bennett

Lou Papan

Bill Duplissea

Ernie Dronenburg Jr.



Paul Carpenter

DISTRICT 1 (53% D - 35% R)		
Bennett (D*)	**440,749**	**(64%)**
Micallef (D)	136,006	(20%)
Nakagawa (D)	114,244	(17%)
Hauck (R)	153,924	(34%)
Nelson (R)	72,091	(16%)
Vanderbilt (R)	67,045	(15%)
Wallack (R)	**166,855**	**(36%)**
Iddings (L)	**3,798**	**(100%)**
DISTRICT 2 (51% D - 37% R)		
Baldwin (D)	50,400	(10%)
Colman (D)	87,158	(17%)
Papan (D)	69,980	(13%)
Pollak (D)	29,950	(6%)
Sherman (D)	**264,979**	**(51%)**
Tabash (D)	19,826	(4%)
Duplissea (R)	152,129	(39%)
Parrish (R)	**241,994**	**(61%)**
Kudrovzeff (AI)	**3,314**	**(100%)**
Sapowsky-Smith (L)	**2,749**	**(100%)**
Lawrence (P&F)	**1,269**	**(100%)**
DISTRICT 3 (40% D - 49% R)		
Morrow (D)	**351,404**	**(100%)**
Dronenburg (R*)	**350,646**	**(64%)**
Wilson (R)	198,568	(36%)
Currie (L)	**2,978**	**(100%)**
Weber (P&F)	**806**	**(100%)**
DISTRICT 4 (57% D - 33% R)		
Carpenter (D*)	**166,183**	**(45%)**
Chel (D)	22,539	(6%)
Davis (D)	67,455	(18%)
Gillan (D)	38,974	(11%)
Harwood (D)	28,508	(8%)
Mock (D)	46,436	(13%)
Adams (R)	**231,880**	**(100%)**
Honigsfeld (P&F)	**747**	**(100%)**

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Ballot Measures

The state's voters were in a generous mood on election day. Not only did they approve seven bond issues totaling more than $5 billion to finance everything from homes for the homeless to homes for the criminal, they also voted to raise taxes on gasoline by nine cents per gallon over the next five years and to ease the state's overall spending limit. And they even approved a measure that will probably end up giving legislators a salary increase.

Liberals hailed the votes as a sign that the state's voters have finally abandoned the anti-spending mind set that was ushered in with the passage of property-tax slashing Proposition 13 in 1978.

Others were not quite so sure. For one thing, they note that there was almost no organized opposition to Proposition 111 — the measure that raised the gasoline tax and the spending limit. Yet Proposition 111 was approved with only 52 percent of the vote in an election that saw a disproportionate number of Democrats come to the polls so they could vote in their hotly-contested gubernatorial primary. Furthermore, the tax called for in this measure would go to alleviate traffic congestion problems — which has become an obvious and pressing need in Southern California. Outside of the major urban areas, the initiative was soundly defeated by voters. It even went down to defeat in Orange County, which arguably has the worst traffic congestion in the state. Still, even skeptics had to concede that, at least when voting for a tax earmarked for a specific purpose, voters might be willing to listen if there was a good cause.

In any case, passage of the measure was something of a victory for Governor George Deukmejian. A late convert to the proposal — Deukmejian had earlier unsuccessfully asked voters to approve general-obligation bonds for highway construction projects — the governor nonetheless allowed himself to be dragged into supporting the compromise package which had the highway construction element for conservatives and a raise in the state spending limit for liberals. The business community, under the direction of the California Chamber of Commerce, was tagged for some $6 million to run the pro-Proposition 111 campaign. The commercials emphasized traffic relief and said nothing about spending limits. The ads also noted that the spending would be audited — as is all state spending — apparently because surveys showed voters were suspicious the money would not actually be used for its advertized purpose. In the end, it was just enough to do the job.

Along with the tax increase, the voters approved two transportation bond measures. One, Proposition 108, was a companion measure to the gasoline-tax measure. It will provide $1 billion in bonds for road and mass-transit construction projects. The other, Proposition 116, was an initiative bond measure sponsored primarily by the Planning and Conservation League. It calls for the sale of $1.99 billion in bonds for rail-transit systems throughout the state.

Other bond measures approved by the voters were: Proposition 107, $105 million for the construction of low-income housing and emergency shelter programs; Proposition 120, $450 million for the construction of new state prisons and the rehabilitation of existing prisons; Proposition 121, $450 million for additions to the University of California, the State College and University System and the community colleges; Proposition 122, $300 million for earthquake safety improvements to state and local government facilities; and Proposition 123, $800 million for new school classrooms.

In exchange for the likely salary increase for legislators, the public expects something in return: more ethical behavior. Proposition 112, which was put on the ballot by the Legislature, prohibits lawmakers from taking speaking fees and limits the gifts they can take, prohibits them from becoming lobbyists for one year after they leave office and also mandates that most legislative sessions be open to the public. The measure also sets up the California Citizens Compensation Commission, which will have the authority to set legislative salaries. The presumption is that this commission will give lawmakers a raise above their current sal-

PROPOSITION 107 (Homeless Bond)		
Yes	**2,474,297**	**(53%)**
No	2,238,693	(47%)
PROPOSITION 108 (Rail/Air Bond)		
Yes	**2,641,662**	**(56%)**
No	2,055,253	(44%)
PROPOSITION 109 (Governor/statutes)		
Yes	**2,476,496**	**(55%)**
No	2,012,243	(45%)
PROPOSITION 110 (Property tax)		
Yes	**3,711,069**	**(80%)**
No	928,296	(20%)
PROPOSITION 111 (Traffic relief)		
Yes	**2,478,104**	**(52%)**
No	2,249,849	(48%)
PROPOSITION 112 (Ethics)		
Yes	**2,831,181**	**(62%)**
No	1,705.051	(38%)
PROPOSITION 113 (Chiropractors)		
Yes	**3,676,956**	**(82%)**
No	829,574	(18%)
PROPOSITION 114 (Peace officers)		
Yes	**3,238,016**	**(71%)**
No	1,326,797	(29%)
PROPOSITION 115 (Criminal law)		
Yes	**2,540,352**	**(57%)**
No	1,923,513	(43%)
PROPOSITION 116 (Rail bond)		
Yes	**2,438,125**	**(53%)**
No	2,143,948	(47%)
PROPOSITION 117 (Mountain lions)		
Yes	**2,436,414**	**(53%)**
No	2,206,993	(47%)
PROPOSITION 118 (Reapportionment)		
Yes	1,512,952	(33%)
No	**3,106,336**	**(67%)**
PROPOSITION 119 (Reapportionment)		
Yes	1,649,639	(36%)
No	**2,956,273**	**(64%)**
PROPOSITION 120 (Prison bond)		
Yes	**2,561,002**	**(56%)**
No	2,026,432	(44%)
PROPOSITION 121 (Higher ed bond)		
Yes	**2,543,993**	**(55%)**
No	2,075,455	(45%)
PROPOSITION 122 (Earthquake bond)		
Yes	**2,534,882**	**(55%)**
No	2,071,029	(45%)
PROPOSITION 123 (School bond)		
Yes	**2,602,279**	**(58%)**
No	1,914,208	(42%)

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ary, which is now around $40,000 per year.

The measure comes at the close of a year which saw one member of the Legislature, former Senator Joseph Montoya of Whittier, convicted in federal court for accepting $3000 from an undercover FBI agent in exchange for his support for a bill that would have aided a fictitious FBI company. State Board of Equalization member Paul Carpenter, a former state senator, is under indictment from that same sting operation, and two legislative staff members have also pled guilty to charges. Several other legislators remain under suspicion.

Lawmakers could have imposed most of the ethics reforms on their own, but there was no chance they would put an end to speaking fees — which have become a lucrative source of supplemental income for many legislators — unless they were guaranteed a new source of income. The voters had to approve creating the new commission because the current state Constitution puts a cap on legislative salaries.

In another ballot proposal, the voters decided to expand the definition of first-degree murder to some peace officers who had been left out of earlier versions of the law and also to approve an omnibus initiative measure designed to make it easier for prosecutors to gain convictions in criminal cases. This measure, Proposition 115, was the subject of considerable controversy because it was opposed by women's groups that feared it might make it possible for the California Legislature to one day outlaw legalized abortions. One provision of the measure would eliminate the use of the state Constitution's privacy clause as a defense in criminal cases. The intent was to make it easier for law-enforcement officials to get evidence admitted in court. But the privacy clause is also the basis of court rulings giving women the right to have an abortion, and women's groups were afraid that Proposition 115 would put that right in jeopardy, despite the insistence of sponsors that it would not.

Other provisions of the measure will allow judges to question prospective jurors instead of having the questioning done by lawyers, eliminate the independent use of the state constitution to interpret criminal right and say that courts instead should follow rules established by the federal courts, and creates a new crime of torture. The first legal challenges to the measure have already been made.

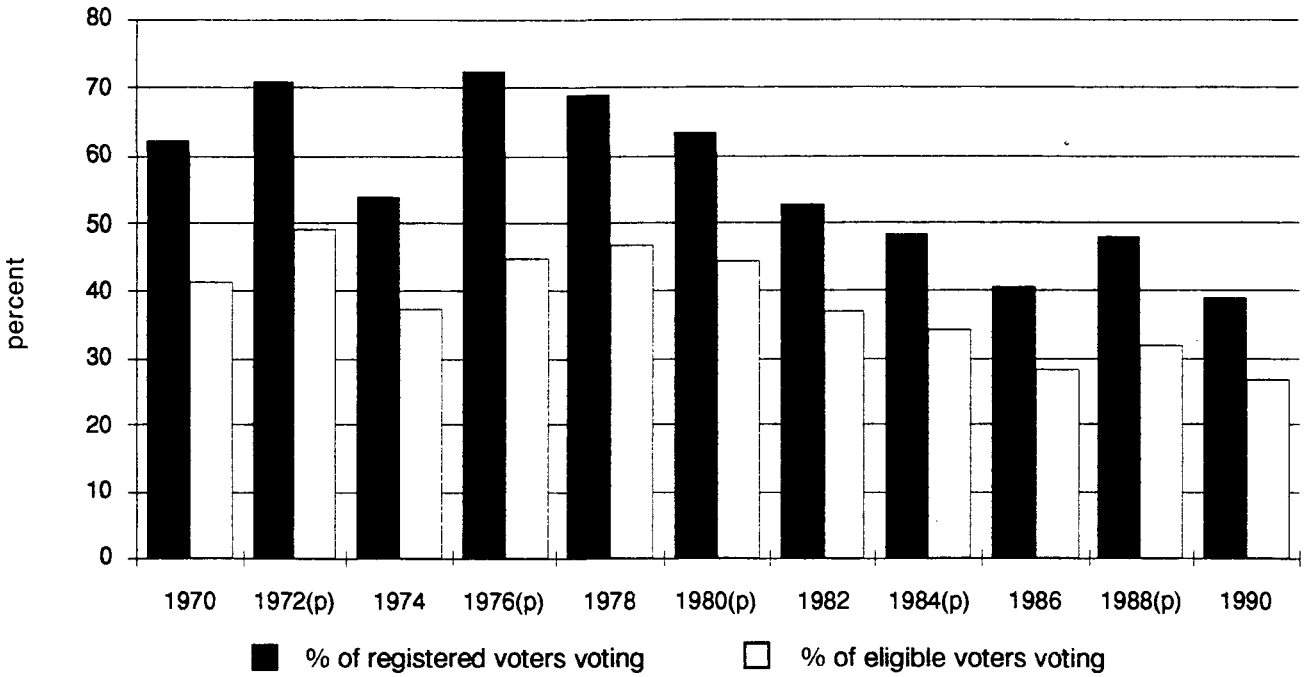
Also winning voter approval was a measure that will ban the hunting of mountain lions. Sportsmen and environmentalists have been at odds over just how many of the large cats are left in the state. The state Fish and Game Commission maintains there are enough lions left to permit limited hunting, but environmentalists dispute this. The lion population once was so numerous in the state that for many years there was a bounty awarded by the state for each animal killed. Thus, they were hunted nearly to extinction. Proposition 117 bans hunts on lions for sport and redirects some $30 million for wildlife restoration areas.

In fact, the only ballot measures turned down by the voters were a pair that would have changed the state's reapportionment process. Proposition 118 would have required that legislative reapportionment plans be approved by a two-thirds vote instead of a simple majority. This would have given legislative Republicans a much greater say in drawing plans. Proposition 119 would have set up a reapportionment commission appointed by retired appellate court judges to approve new district lines. Any group of citizens could have drawn up a plan for the commission to consider. This measure was supported by the League of Women Voters and also by the state's Republicans.

Both measures added criteria that must be followed when lines are drawn. Proposition 119 was the more elaborate of these, saying that certain county lines cannot be crossed, that city and county boundaries should be maintained, that districts be as compact as possible and that each Senate district contains two Assembly districts.

Backers of the two measures argued that the Demo-

The Disappearing voter



Note: (p) Indicates Presidential election year

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crats who control the Legislature have grossly abused their power to draw district lines. They have given an unfair number of seats to their own party and have drawn lines in such a way that it is almost impossible for an incumbent to be defeated.

Legislative Democrats, however, unleashed a major television campaign against the two measures. They enlisted the support of Common Cause, which had supported other commission-style proposals, and of the Sierra Club. They then ran ads labeling the two proposals a "fraud" sponsored by big businesses as a way of electing a Legislature that would be more amenable to their will. The campaign featured television ads starring actors Jack Lemmon and James Garner. The ads were reminicent of those used against the last GOP attempt to change reapportionment through the initiative — Proposition 39, sponsored by Governor George Deukmejian in November 1984. Back then, Assembly Speaker Willie Brown labeled the successful campaign against Proposition 39 a "con job."

Since under the provisions of Proposition 73 passed by voters two years ago, legislative leaders could not transfer money into other legislative races, these funds were freed up for the campaign against the two reapportionment measures. In contrast, the campaign in favor of the two measures was fragmented and modest. Republicans could never really decide which measure they preferred. Those in the Legislature generally wanted Proposition 118, which would keep matters in their hands, but the state's congressional delegation wanted Proposition 119 so they would not be at the mercy of their legislative colleagues. In the end, as they had in 1984, voters turned down both measures, with two-thirds of the electorate against Proposition 118 and 64 percent against Proposition 119.

The campaign also may also have done damage to the influence of the League of Women Voters. Their non-partisan, good-government reputation has always helped them in the past. But Democrats now believe that since the League allied with the Republicans, their activities should be suspect in the future.

Local Elections

The political career of Oakland Mayor Lionel Wilson came to an abrupt end when the 13-year incumbent finished third among three major candidates in the June 5th mayoral election. Assemblyman Elihu Harris finished first with 46 percent, followed by Oakland City Councilman Wilson Riles Jr. with 25 percent. The 75-year-old Wilson was a distant third with 17 percent, more than 20,000 votes off the pace set by Harris. Several other candidates shared the remaining 12 percent. Because no candidate received more than 50 percent of the vote, Harris and Riles will meet in a November 6th runoff election. It is the second time Riles has challenged for the mayoral job, having lost to Wilson in 1986.

Harris, a 42-year-old Democrat who has represented parts of Oakland in the Assembly since 1978, said election results showed Oakland voters wanted a change — a sentiment acknowledged by Wilson on election night.

All three candidates agreed that Wilson was hurt by a $600 million deal meant to bring the Los Angeles Raiders football team back to its ancestral home in Oakland. Wilson waffled on the deal, first expressing reluctance to commit the city to so huge and risky a financial package, then helping push the deal, and finally backing away after opponents gathered enough petition signatures to place a referendum on the deal before voters.

Elsewhere around urban Northern California, former school administrator Frank Fiscalini will square off against City Councilwoman Susan Hammer for mayor of San Jose in November. They finished one-two among seven candidates vying to replace outgoing Mayor Tom McEnery. Fiscalini captured 33 percent of the vote and Hammer, 29 percent. City Councilwoman Shirley Lewis finished third with 24 percent. Fiscalini begins the runoff campaign as frontrunner, although Hammer is more likely to capture the lion's share of Democratic and environmental votes that went to Lewis in the primary.

In Los Angeles County, Sarah Flores and Gregory O'Brien finished one-two in the race to succeed outgoing Supervisor Pete Schabarum. Flores and O'Brien, who will face each other in a November runoff election, are not exactly household names, even in Southern California. Yet they are in line to capture one of the state's most powerful political positions because Schabarum's surprise eleventh-hour announcement that he would not seek reelection effectively froze out more well-known politicians who may have wanted to replace him (see "Schabarum bails out," *CJ*, May 1990).

Flores, who was Schabarum's assistant chief deputy, finished with 35 percent. O'Brien, a superior court judge backed by Schabarum, ran well behind with 20 percent. Monrovia Mayor Bob Bartlett had 12 percent, while former Congressman Jim Lloyd finished with 10 percent. Other candidates shared the remaining 23 percent of the vote. Since no candidate received 50 percent, Flores and O'Brien must face each other in the runoff. In another election, Supervisor Ed Edelman won reelection outright by defeating his only opponent, Gonzalo Molina. He will not have to seek election in November.

Maybe.

The "maybe" was caused when, on election eve, U.S. District Judge David Kenyon threw out Los Angeles County's entire districting plan, saying it discriminated against Latinos. Flores, herself a Latina, has already gone to court to persuade Kenyon to use her success as a reason not to invalidate the recent election. Civil rights groups and the U.S. Justice Department, who challenged the districting scheme in the first place, want the June 5th results invalidated and a special election held under a new districting plan.

If Kenyon allows the election to stand, Flores can credit her strong showing to financial help given by two other Republican supervisors — Mike Antonovich and Deane Dana — who rallied their contributors behind Flores to the tune of $400,000, according to the *Los Angeles Times*. She was also helped by the sympathy vote generated when her boss of 18 years, Schabarum, endorsed O'Brien and insulted her qualifications.

Also in Los Angeles, city voters approved an ethics package (Proposition H) that coupled stiff ethics laws with pay raises for city officials. Significantly, the new package calls for partial public financing of campaigns for city office and limits campaign spending. It will not affect city elections scheduled for next spring. Pay raises, which boost the salaries of council members to the amount paid to municipal court judges ($86,157 a year, or 40 percent above their current salary level), go into effect immediately. The mayor's salary increases 9.2 percent to $112,004. Proposition H also establishes a five-member city Ethics Commission that is to be in place by July 1, 1991.

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Election '90

District-by-district analysis

Congress

DISTRICT 1 (55% D - 34% R)

Bosco (D*)	**60,913**	**(66%)**
Gambill (D)	31,371	(34%)
Riggs (R)	**43,745**	**(77%)**
Stoen (R)	12,874	(23%)
Comingore (P&F)	**392**	**(100%)**

Attorney Tim Stoen, once the lawyer for People's Temple cult leader Jim Jones, couldn't translate a wealth of publicity into a wealth of votes, losing the GOP primary to 39-year-old Frank Riggs, a developer and former deputy sheriff. On the Democratic side, environmentalist Lionel Gambill ran a surprisingly strong race against four-term incumbent Doug Bosco. But, Bosco always faces some kind of primary challenge (in 1988, there were three other Democrats in the race, including Gambill.) Bosco always gets about two-thirds of the primary vote. If anything, the vote against him represents something of a backlash caused by several factors: 1) the area's foundering economy; 2) a perception that Bosco is too cozy with timber interests; and 3) his dealings with a failed savings and loan.

DISTRICT 2 (45% D - 43% R)

Rush (D)	**57,187**	**(100%)**
Herger (R*)	**68,026**	**(100%)**
Crain (L)	**424**	**(100%)**

DISTRICT 3 (56% D - 35% R)

Matsui (D*)	**67,959**	**(86%)**
Walsh (D)	11,214	(14%)
Borman (R)	20,964	(46%)
Landowski (R)	**25,125**	**(55%)**
McCann (L)	**170**	**(100%)**

Matsui gears up for what could be his last run for the House of Representatives. He's announced his intention to seek Alan Cranston's U.S. Senate seat in 1992. On the GOP side, Lowell Landowski will be making his third run at Matsui.

KEY

D = Democrat
R = Republican
AI = American Independent
L = Libertarian
P&F = Peace and Freedom
* = Incumbent
(D% - R%) = percentage of Democratic and Republican voter registration in each district
(%) = candidate's percent of the vote (rounded to nearest whole number, which may result in totals of more than 100% in some races)
Boldface = primary winner

DISTRICT 4 (53% D - 36% R)

Fazio (D*)	**57,499**	**(79%)**
Warner (D)	15,473	(21%)
Anderson (R)	13,826	(30%)
Baughman (R)	**16,689**	**(36%)**
Koziol (R)	10,442	(23%)
Yonker (R)	4,888	(11%)
Bigwood (L)	**221**	**(100%)**

Mark Baughman, an aide to state Senator John Doolittle, was the only Republican with political or public-policy experience. He also was able to raise the most money, the key factor in a four-way GOP primary.

DISTRICT 5 (65% D - 19% R)

Pelosi (D*)	**67,320**	**(100%)**
Nichols (R)	**15,454**	**(100%)**

DISTRICT 6 (59% D - 27% R)

Boxer (D*)	**74,675**	**(100%)**
Boerum (R)	**30,388**	**(100%)**

DISTRICT 7 (54% D - 34% R)

Miller (D*)	**66,120**	**(100%)**
Payton (R)	**35,829**	**(88%)**
Watkins(R)	5,057	(12%)

DISTRICT 8 (64% D - 24% R)

Dellums (D*)	**73,729**	**(100%)**
Cuddihy (R)	12,310	(45%)
Galewski (R)	**15,250**	**(55%)**

DISTRICT 9 (58% D - 30% R)

Stark (D*)	**56,249**	**(100%)**
Romero (R)	**27,190**	**(100%)**

DISTRICT 10 (57% D - 30% R)

Edwards (D*)	**42,865**	**(100%)**
King (R)	9,540	(46%)
Patrosso (R)	**11,443**	**(55%)**

DISTRICT 11 (55% D - 32% R)

Lantos (D*)	**50,211**	**(100%)**
Quraishi (R)	**18,764**	**(71%)**
Rathbun-Chiodo (R)	7,776	(29%)
Genis (L)	**218**	**(100%)**

DISTRICT 12 (44% D - 42% R)

Bond (D)	21,784	(48%)
Palmer (D)	**23,981**	**(52%)**
Campbell (R*)	**51,959**	**(100%)**
Olson (L)	**613**	**(100%)**

DISTRICT 13 (49% D - 38% R)

Mineta (D*)	**50,580**	**(100%)**
Smith (R)	**33,609**	**(100%)**
Webster (L)	**400**	**(100%)**

DISTRICT 14 (46% D - 44% R)

Ingraham (D)	16,241	(21%)
Malberg (D)	**60,866**	**(79%)**
Doolittle (R)	**69,052**	**(100%)**

Patricia Malberg easily outdistanced her Democratic primary opponent and now must gear up to face state Senator John Doolittle for the open House seat being vacated by Republican Norm Shumway. The race will be marked by a contrast in campaign styles: Malberg is open and gushy;

Doolittle

Malberg

Doolittle secretive and hard-edged. Both have proved tenacious campaigners in the past.

DISTRICT 15 (55% D - 36% R)

Condit (D*)	**48,360**	**(100%)**
Burris (R)	**28,952**	**(100%)**

DISTRICT 16 (52% D - 35% R)

Panetta (D*)	**62,305**	**(93%)**
Dunn (D)	4,674	(7%)
Darrigo (R)	18,203	(45%)
Reiss (R)	**22,406**	**(55%)**
Tucker (L)	**363**	**(100%)**

DISTRICT 17 (49% D - 43% R)

Dooley (D)	**27,211**	**(59%)**
Laygo (D)	6,299	(14%)
Nahigian (D)	12,882	(28%)
Pashayan (R*)	**46,283**	**(100%)**

DISTRICT 18 (59% D - 33% R)

Lehman (D*)	**53,420**	**(100%)**

DISTRICT 19 (46% D - 41% R)

Ferguson (D)	**31,048**	**(65%)**
McConnell (D)	16,435	(35%)
Lagomarsino (R*)	**44,466**	**(89%)**
Winterbourne (R)	5,703	(11%)

Educator Anita Perez Ferguson scored an easy victory over contractor Mike McConnell in the Democratic primary. Ferguson, who onced worked for the area's popular state senator, Gary Hart, ran with endorsements from Hart and from Jack O'Connell, the area's Democratic assemblyman.

DISTRICT 20 (41% D - 49% R)

Reid (D)	23,461	(50%)
M.Thomas (D)	**23,969**	**(51%)**
W.Thomas (R*)	**49,102**	**(74%)**
Gregory (R)	17,708	(27%)
Dilbeck (L)	**262**	**(100%)**

Incumbent Bill Thomas easily swept aside a primary challenge from Santa Clarita businessman Rod Gregory, who campaigned on the premise that Thomas did not stand nearly far enough to the right. Gregory was endorsed by the conservative California Republican Assembly, but his fund-raising fell well short of the level needed to unseat a long-term incumbent. And district Republicans decided that Thomas' moderate posture was just fine with them. On the Democratic

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side, Grover City businessman Michael Thomas defeated journalist Lita Reid, who lost to Bill Thomas in 1988.

DISTRICT 21 (37% D - 52% R)

Freiman (D)	**37,415**	**(100%)**
Gallegly (R*)	**42,255**	**(68%)**
Korman (R)	19,556	(32%)
Christensen (L)	**315**	**(100%)**

Sang Korman has an expensive hobby. The Korean-born commercial developer and real-estate investor likes to tilt at political windmills. In 1988 he spent $384,000 of his own money to challenge incumbent Elton Gallegly in the GOP primary. Result: 74 percent of the vote. Korman was back again this year, sinking $300,000 of his own money into the campaign, plus another $100,000 raised from the Korean community. Result: 32 percent of the vote. Gallegly was forced to spend $200,000 to defend himself, and there are rumblings that Korman will be back again in 1992. Korman, who changed his name from Sang Suh, is a self-made millionaire who arrived virtually penniless in the U.S. in 1972.

DISTRICT 22 (35% D - 55% R)

Bayer (D)	**28,017**	**(82%)**
Vournas (D)	6,142	(18%)
Moorhead (R*)	**56,876**	**(100%)**
Wilson (L)	**228**	**(100%)**
Tucker (P&F)	**72**	**(100%)**

DISTRICT 23 (54% D - 36% R)

Beilenson (D*)	**52,449**	**(100%)**
Salomon (R)	**27,248**	**(100%)**
Honigsfeld (P&F)	**90**	**(100%)**

DISTRICT 24 (59% D - 28% R)

Waxman (D*)	**35,085**	**(100%)**
Cowles (R)	**13,516**	**(100%)**
Murdock (P&F)	65	(40%)
Phair (P&F)	**97**	**(60%)**

DISTRICT 25 (68% D - 22% R)

Roybal (D*)	**23,109**	**(100%)**
Justice (R)	3,816	(44%)
Renshaw (R)	**4,900**	**(56%)**
Scott (L)	**102**	**(100%)**

DISTRICT 26 (57% D - 34% R)

Berman (D*)	**40,389**	**(86%)**
Gaulke (L)	6,391	(14%)
Dahlson (R)	**14,817**	**(67%)**
Forsch (F)	7,183	(33%)
Zimring (L)	**147**	**(100%)**

DISTRICT 27 (54% D - 34% R)

Levine (D*)	**45,661**	**(100%)**
Cohen (R)	**17,086**	**(64%)**
Yeager (F)	9,811	(36%)
Ferrer (P&F)	**130**	**(100%)**

DISTRICT 28 (73% D - 19% R)

Dixon (D*)	**37,474**	**(100%)**
Adams (R)	**9,757**	**(100%)**
Weber (L)	**86**	**(100%)**
Williams (P&F)	**69**	**(100%)**

DISTRICT 29 (82% D - 12% R)

Allen (D)	2,487	(7%)
Andromicas (D)	867	(2%)
Waters (D)	**34,075**	**(89%)**
Wilson (L)	1,048	(3%)
DeWitt (R)	**5,259**	**(100%)**
Boctor (L)	**20**	**(100%)**

The conventional wisdom holds that freshmen members of the House of Representatives submerge into a kind of Congressional netherworld, to reappear only after three or four terms of lackluster service. If any freshman has a chance to debunk that wisdom, it is Assemblywoman Maxine Waters. She has the drive, the smarts and the fiery energy to make an immediate impact on the Washington establishment; one cannot conceive of Waters assuming the role of a back-bencher for three minutes, let alone three

M.Waters

terms. She takes over this seat from ageless Gus Hawkins, who hung up his spikes after 55 years in elective office, 29 of them in Congress.

DISTRICT 30 (59% D - 31% R)

Martinez (D*)	**23,452**	**(100%)**
Franco (R)	**13,264**	**(100%)**
Feger (L)	**54**	**(100%)**

Martinez spent most of his energy this primary season trying to get his daughter elected to the state Assembly (see Assembly District 59). She lost the primary.

DISTRICT 31 (71% D - 20% R)

Dymally (D*)	**28,573**	**(73%)**
Grigsby (D)	6,009	(15%)
Robinson (D)	4,635	(12%)
Sato (R)	**10,306**	**(100%)**

Incumbent Dymally, a former lieutenant governor, drew a smaller percentage of the vote than in his contested primaries of years past, but he still had more than enough to win.

DISTRICT 32 (56% D - 35% R)

Anderson (D*)	**33,329**	**(100%)**
Bakke (R)	9,700	(42%)
Kahn (R)	**13,429**	**(58%)**

Sanford Kahn is back for another probably futile run at Glenn Anderson.

DISTRICT 33 (42% D - 48% R)

Hamud (D)	10,395	(28%)
Webb (D)	**26,772**	**(72%)**
Dreier (R*)	**47,209**	**(100%)**
Lightfoot (L)	**137**	**(100%)**

DISTRICT 34 (61% D - 30% R)

Torres (D*)	**28,159**	**(100%)**
Eastman (R)	**15,516**	**(100%)**

DISTRICT 35 (38% D - 52% R)

Norton (D)	**38,771**	**(100%)**
Lewis (R*)	**50,499**	**(79%)**
Blankenship (R)	13,540	(21%)
Johnson (L)	**235**	**(100%)**

DISTRICT 36 (53% D - 38% R)

Brown (D*)	**38,648**	**(100%)**
Casey (R)	10,514	(35%)
Hammock (R)	**19,146**	**(65%)**

San Bernardino County makes up more than two-thirds of this district, and that proved an enormous advantage for San Bernardino Supervisor Bob Hammock, who cruised to victory in the Republican primary. Hammock also ran well in Riverside County, polling 68 percent of the vote

Brown

Hammock

there. His opponent, retired Air Force General Al Casey, was hampered by a lack of name recognition and by the fact that he lives outside the district. Incumbent George Brown Jr. was unopposed in the primary but now faces — once again — a tough November election.

DISTRICT 37 (42% D - 49% R)

Jacobs (D)	15,599	(29%)
Waite (D)	**38,599**	**(71%)**
McCandless (R*)	**50,371**	**(73%)**
Mathewson (R)	18,232	(27%)
Odom (AI)	**510**	**(100%)**
Flickinger (L)	**219**	**(100%)**

Actor Ralph Waite, better known to the world as "Papa Walton," cruised to victory over Jeffrey Jacobs in the Democratic primary and now sets

McCandless

Waite

his sights on four-term incumbent Al McCandless in November — an interesting test of star quality versus registration deficits.

DISTRICT 38 (48% D - 42% R)

Hoffmann (D)	9,152	(34%)
Jackson (D)	**17,372**	**(66%)**
Dornan (R*)	**22,811**	**(100%)**

DISTRICT 39 (33% D - 58% R)

Black (D)	10,221	(34%)
Hoffman (D)	**12,519**	**(42%)**
Roberts (D)	5,480	(18%)
Swann (D)	1,631	(6%)
Dannemeyer (R*)	**52,873**	**(100%)**
Quirk (P&F)	**63**	**(100%)**

Does it really matter which of four Democrats wins a primary in a district where three in five registered voters are Republicans?

DISTRICT 40 (30% D - 59% R)

Gratz (D)	**33,347**	**(100%)**
Cox (R*)	**66,492**	**(100%)**

DISTRICT 41 (38% D - 48% R)

Kripke (D)	**43,665**	**(100%)**
Lowery (R*)	**56,462**	**(100%)**
Works (P&F)	**134**	**(100%)**

DISTRICT 42 (36% D - 53% R)

Cavuoto (D)	13,159	(34%)
Kimbrough (D)	**13,173**	**(34%)**
Stevens (D)	11,969	(31%)
Rohrabacher (R*)	**53,387**	**(100%)**
Martin (L)	**261**	**(100%)**

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Kimbrough ran against Rohrabacher two years ago, losing by 70,000 votes.

DISTRICT 43 (30% D - 56% R)

Packard (R*)	**70,777**	**(100%)**
Arnold (L)	**367**	**(100%)**
Hansen (P&F)	**67**	**(100%)**

DISTRICT 44 (54% D - 34% R)

Bates (D*)	**24,586**	**(63%)**
Georgiou (D)	14,712	(37%)
Cunningham (R)	**10,721**	**(45%)**
Epifano (R)	696	(3%)
Ghougassian (R)	7,122	(30%)
Harrell (R)	1,432	(6%)
Lantry (R)	3,775	(16%)
Wallner (L)	**165**	**(100%)**
White (P&F)	**74**	**(100%)**

Incumbent Jim Bates showed that voters can be forgiving. Bates has been a member of Congress since 1982 and an elected official of one sort or another in San Diego since 1971. But his past record became secondary in this race because Bates has spent most of the past two years in the middle of a political firestorm over charges that he sexually harrassed female members of his staff. After investigating those charges, the House Ethics Committee formally reprimanded Bates late last year. That prompted former Jerry Brown administration official Byron Georgiou to buck local party officials and enter the Democratic primary against Bates. The challenger pumped $200,000 of his own money into the campaign and hammered repeatedly at Bates' ethical problems. Bates spent an equal amount to defend his seat, emerging with a comfortable margin over Georgiou. On the GOP side, Randy "Duke" Cunningham pulled off a suprisingly large victory over Joe Ghougassian and three other GOP hopefuls. Cunningham, a former instructor at the Miramar Naval Air Station fighter-pilot school, benefited from his military background. His chief rival, Ghougassian, was a former White House advisor to Ronald Reagan who also served four years as U.S. ambassador to the Persian Gulf country of Qatar (1985 to 1989) and 16 years as a philosophy professor at UC San Diego.

Bates

Georgiou

Cunningham

DISTRICT 45 (37% D - 50% R)

Hunter (R*)	**54,174**	**(100%)**
Shea (L)	**305**	**(100%)**

Senate

DISTRICT 2 (56% D - 32% R)

Keene (D*)	**79,897**	**(100%)**
Handley (R)	**45,848**	**(100%)**

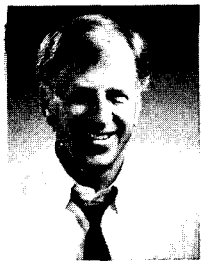
Money will be spent here in November. Much much much money.

DISTRICT 4 (48% D - 41% R)

Cochran (D)	39,645	(44%)
Thompson (D)	**50,799**	**(56%)**
Nielsen (R*)	**75,179**	**(100%)**
Hendricks (L)	**483**	**(100%)**
Sutley (P&F)	**185**	**(100%)**

Former Assembly aide Mike Thompson pulled off a convincing victory over Rohnert Park Mayor Charlie Cochran, who did not have the financial resources to keep up with the well-heeled Thompson campaign. Thompson, who had the nod from Senate forces close to Democratic leader David Roberti, now gears up to face three-term incumbent Republican Jim Nielsen, whose hardline stands on abortion and gay rights will figure prominently in what may prove one of the fall's most expensive campaigns.

Cochran



Thompson

DISTRICT 6 (57% D - 34% R)

L.Greene (D*)	**78,028**	**(100%)**
Sullivan (R)	**45,390**	**(100%)**
Murray (L)	**203**	**(100%)**

DISTRICT 8 (63% D - 22% R)

Fitzgerald (D)	**34,025**	**(64%)**
Wachob (D)	19,185	(36%)
Hansson (R)	9,785	(49%)
Silvestri (R)	**10,262**	**(51%)**

Democrat Patrick Fitzgerald would seem to be a shoo-in over Republican Robert Silvestri come November, given the overwhelming Democratic registration in this San Francsico Bay Area district. But don't call him "Senator Fitzgerald" just yet because there is another candidate in the fall contest — independent incumbent state Senator Quentin Kopp. Kopp, a former San Francisco supervisor, first won this seat in 1986 following a bruising battle with former Democratic Assemblyman Lou Papan. He is far better known than either Fitzgerald or Silvestri, has a lot of money in the bank and a reputation as an effective legislator.

DISTRICT 10 (55% D - 32% R)

Lockyer (D*)	**58,755**	**(100%)**
Hertz (R)	**31,495**	**(100%)**

DISTRICT 12 (53% D - 36% R)

McCorquodale (D*)	**55,840**	**(100%)**
Kennedy (R)	**22,689**	**(60%)**
Morger (R)	15,189	(40%)

Milpitas businesswoman Lori Kennedy proved that endorsements aren't everything. Her opponent, Modesto real estate trustee Mark Morger, was backed by district GOP heavyweight Clare Berryhill, a former state legislator and Deukmejian administration official.

DISTRICT 14 (49% D - 40% R)

Maddy (R*)	**51,667**	**(100%)**

DISTRICT 16 (50% D - 40% R)

Bryan (D)	8,038	(17%)
Gonzales (D)	**23,455**	**(49%)**
Spencer (D)	16,223	(34%)
Rogers (R*)	**46,980**	**(100%)**
Saurenman (L)	**191**	**(100%)**

A mixed primary for former Assemblyman Ray Gonzales. On one hand, he emerged with a convincing victory in a three-way Democratic race. On the other hand, he may have destroyed his chances to win in November by being one of the few Democrats to endorse a GOP-sponsored initiative meant to take reapportionment out of the hands of the Legislature (Proposition 119). Gonzales served in the Legislature from 1972 to 1974 but was defeated by Republican Bill Thomas, now a member of Congress, after Gonzales' district was changed in the last reapportionment. Perhaps that experience prompted Gonzales to endorse the failed Proposition 119. Whatever the reason, his support for 119 is not likely to endear him to Senate Democrats, who pumped much money and effort to defeat the measure. Gonzales' ability to unseat incumbent Don Rogers will depend on Senate Democrats' willingness to spend large amounts of money and effort on his behalf. Considering that Democrats spent $1.4 million against Rogers in 1986, only to lose by 7000 votes, it is not likely they will come rushing to Gonzales' side.

Gonzales

Rogers

DISTRICT 18 (47% D - 40% R)

Hart (D*)	**52,770**	**(100%)**
Rogers (R)	**39,421**	**(100%)**
Wood (L)	**308**	**(100%)**

DISTRICT 20 (57% D - 33% R)

Robbins (D*)	**39,276**	**(100%)**
Podegracz (R)	**20,265**	**(100%)**
Mirken (L)	**197**	**(100%)**

DISTRICT 22 (59% D - 31% R)

Rosenthal (D*)	**67,072**	**(87%)**
Graysen (D)	9,791	(13%)
Schrager (R)	**27,781**	**(100%)**
Hinds (P&F)	**184**	**(100%)**

DISTRICT 24 (66% D - 23% R)

Torres (D*)	**21,679**	**(100%)**
Carney (R)	2,287	(30%)
Marsh (R)	**5,289**	**(70%)**
Wilson (L)	**71**	**(100%)**

Torres faced Marsh in 1982, and won three-to-one.

DISTRICT 26 (61% D - 29% R)

Calderon (D*)	**31,052**	**(100%)**
Urquidi (R)	**15,309**	**(100%)**
Goldsworthy (L)	**66**	**(100%)**

Chuck Calderon now runs for a full four-year term after capturing a special election to fill out the term of former Senator Joe Montoya.

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DISTRICT 28 (73% D - 18% R)

Watson (D)	**56,010**	**(100%)**
Kasimoff (P&F)	**102**	**(100%)**

DISTRICT 30 (67% D - 23% R)

Dills (D*)	**35,263**	**(100%)**
Poling (R)	**12,308**	**(100%)**

DISTRICT 32 (48% D - 48% R)

Becktell (D)	**15,864**	**(53%)**
Duran (D)	13,942	(47%)
Royce (R*)	**35,068**	**(100%)**

Evelyn Colon Becktell defeated attorney John Duran in a district that does not hold much promise for a Democrat.

DISTRICT 34 (51% D - 40% R)

Ayala (D*)	**41,767**	**(100%)**
Bader (R)	**33,462**	**(100%)**

Both candidates breezed through uncontested

Ayala

Bader

primaries with an eye toward the bloodiest and most expensive Senate election of 1990,

DISTRICT 36 (46% D - 45% R)

Presley (D*)	**52,867**	**(100%)**
Haynes (R)	**28,222**	**(52%)**
Nowell (R)	25,792	(48%)

Attorney Ray Haynes squeaked out a narrow victory against Robert Nowell in the GOP primary. The vote was surprisingly close considering that Haynes had full backing from Senate Republicans, including GOP leader Ken Maddy and Bill Leonard from a neighboring district. Haynes also outspent Nowell, who was backed by local groups of conservatives.

DISTRICT 38 (33% D - 52% R)

Craven (R*)	**75,947**	**(100%)**
Olmsted (L)	**528**	**(100%)**
Evans (P&F)	**127**	**(100%)**

DISTRICT 40 (52% D - 35% R)

Deddeh (D*)	**39,397**	**(100%)**
Watson (R)	**24,888**	**(100%)**
Moths (L)	**214**	**(100%)**
Batchelder (P&F)	**82**	**(100%)**

ASSEMBLY

DISTRICT 1 (47% D - 42% R)

Caudle (D)	**39,224**	**(100%)**
Statham (R*)	**37,950**	**(100%)**

Statham v. Caudle, round three.

DISTRICT 2 (56% D - 31% R)

Hauser (D*)	**45,299**	**(100%)**
Willis (R)	**24,941**	**(100%)**
Anderson (P&F)	**297**	**(100%)**

The most interesting candidate in this race has no chance — Peace and Freedom nominee Bruce Anderson, outspoken editor and publisher of the Anderson Valley Advertiser.

DISTRICT 3 (44% D - 45% R)

Hatamiya (D)	**31,590**	**(100%)**
Chandler (R*)	**39,415**	**(100%)**

DISTRICT 4 (55% D - 32% R)

Hannigan (D*)	**36,953**	**(100%)**
Ford (R)	**20,058**	**(100%)**
Presley (L)	**125**	**(100%)**

The Assembly's majority leader can devote his energies to other election matters.

DISTRICT 5 (48% D - 42% R)

Buonaiuto (D)	**32,377**	**(100%)**
Leslie (R*)	**30,320**	**(82%)**
Werve (R)	6,752	(18%)

Incumbent Leslie had little trouble fending off a primary challenge from businessman Don Werve. And because of Democrat Joe Buonaiuto's pugnacious personality, this should become one of Northern California's more interesting contests.

DISTRICT 6 (56% D - 35% R)

Connelly (D)*	**37,499**	**(100%)**
Marsh (R)	**21,237**	**(100%)**
Engelhardt (L)	**82**	**(100%)**

DISTRICT 7 (49% D - 41% R)

N.Waters (D*)	**38,150**	**(73%)**
Carrillo	14,168	(27%)
Knowles (R)	**38,912**	**(100%)**

Waters-Knowles II will include an added handicap for the incumbent — his primary opponent has vowed to stay in the race as a write-in. If Chris Carrillo keeps even a small chunk of his 14,000 primary supporters, their defection could tip a close race to Knowles.

DISTRICT 8 (52% D - 38% R)

Hansen (R*)	**35,326**	**(100%)**
Roberts (L)	***218***	***(100%)***

DISTRICT 9 (53% D - 34% R)

Bronshvag (D)	**35,238**	**(100%)**
Filante (R*)	**26,323**	**(100%)**
Bright (L)	**277**	**(100%)**
Persily (P&F)	**119**	**(100%)**

DISTRICT 10 (56% D - 34% R)

Isenberg (D*)	**41,607**	**(100%)**
Clark (R)	9,342	(38%)
Griffin (R)	**14,973**	**(62%)**
Rufer (L)	**128**	**(100%)**

Sacramento attorney Tom Griffin has cleared the low hurdle: a low-key, low-budget primary victory over Jeff Clark. Griffin's win was due mostly to his 28 years' experience as a state lawyer, which convinced voters that he would make a more credible candidate than Clark, a 25-year-old stockbroker from Antioch. Griffin also was helped by an endorsement from The Sacramento Bee. *Now comes the high hurdle — a November dust-up with Democratic Assembly powerhouse Phil Isenberg, the former mayor of Sacramento, whose experience more than matches Griffin's.*

DISTRICT 11 (64% D - 25% R)

B.Campbell (D*)	**40,294**	**(100%)**

DISTRICT 12 (63% D - 23% R)

Bates (D*)	**52,514**	**(100%)**
Gear (R)	**14,588**	**(100%)**
Feinland (P&F)	**209**	**(100%)**

DISTRICT 13 (73% D - 15% R)

Cannon (D)	7,418	(20%)
LaBrie (D)	2,698	(7%)
Lee (D)	**27,709**	**(73%)**
Fassett (R)	3,860	(48%)
Thomas (R)	**4,165**	**(52%)**

Six-term incumbent Elihu Harris ran for mayor of Oakland, leaving this seat up for grabs to whomever emerged from the Democratic primary. Although three candidates were on the ballot, the contest came down to Barbara Lee v. Aleta Cannon after Aubrey LaBrie dropped out in May. As the vote totals indicate, Lee held most of the cards. She was a veteran staffer for the area's popular congressman, Ron Dellums, had a well-organized campaign, had raised the most money and picked up the most important endorsements. She was clearly the choice of Assembly Democrats, including many close to Speaker Willie Brown. Brown himself remained neutral, however, but the proper signals were sent to the proper

Cannon

Lee

campaign givers via endorsements from Democrats such as Maxine Waters and Majority Leader Tom Hannigan. Cannon, a member of the Oakland City Council, had worked for Harris although, significantly, the incumbent also chose to remain neutral and not endorse her.

DISTRICT 14 (64% D - 25% R)

Klehs (D*)	**32,910**	**(100%)**
Grundmann (R)	**12,190**	**(100%)**
Nygren (L)	**117**	**(100%)**

DISTRICT 15 (37% D - 51% R)

Williams (D)	**26,351**	**(100%)**
Baker (R*)	**38,742**	**(100%)**

DISTRICT 16 (69% D - 15% R)

Burton (D*)	**32,646**	**(100%)**

DISTRICT 17 (64% D - 20% R)

W.Brown (D*)	**37,255**	**(100%)**
Faulkner (R)	**7,554**	**(100%)**
Whisman (L)	**214**	**(100%)**

Another successful election for the Assembly speaker, mostly because his forces managed to bury GOP attempts to take reapportionment out of the hands of Democratic legislators (Propositions 118 and 119). Also, his candidate for governor won the Democratic primary and candidates he favored walked away with contested Assembly primaries, especially Barbara Lee in Oakland and Marguerite Archie-Hudson in Los Angeles. And incumbents Pete Chacon and Gerry Eaves survived tough primary challenges. The only negative for Brown was the Democratic loss in the 78th Assembly District special election in San Diego, where Republican Jeff Marston's victory over Democrat Mike Gotch puts the GOP into a seat formerly held by Democratic state Senator Lucy Killea.

DISTRICT 18 (53% D - 33% R)

Eastin (D*)	**24,976**	**(100%)**

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DISTRICT 19 (60% D - 26% R)

Speier (D*)	**31,189**	**(100%)**

DISTRICT 20 (46% D - 42% R)

Lempert (D*)	**29,542**	**(100%)**
Bosse (R)	7,548	(34%)
Rinehart (R)	**14,535**	**(66%)**
Sigmund (AI)	**112**	**(100%)**
Inama (L)	**168**	**(100%)**

Trade consultant James Rinehart of Menlo Park won easily over entreprenuer Jim Bosse for the right to challenge freshman incumbent Ted Lempert. Rinehart garnered endorsements from

Lempert

Rinehart

area GOP heavyweights like state Senator Becky Morgan, Congressman Tom Campbell, the Peninsula Republican Association and San Mateo County Central Committee. He also capitalized on the fact that Bosse favors legalizing drugs, not a popular position in the affluent, white-collar Bay Area district.

DISTRICT 21 (53% D - 32% R)

Sher (D*)	**28,729**	**(100%)**
Garris (R)	**14,240**	**(100%)**

DISTRICT 22 (40% D - 46% R)

Levy (D)	**23,568**	**(100%)**
Quackenbush (R*)	**28,851**	**(100%)**
Petersen (L)	**267**	**(100%)**

DISTRICT 23 (58% D - 29% R)

Vasconcellos (D*)	**23,848**	**(100%)**
Cate (R)	5,186	(46%)
Valladares (R)	**6,092**	**(100%)**

DISTRICT 24 (53% D - 35% R)

Cortese (D*)	**20,510**	**(70%)**
Woodall (D)	8,840	(30%)
Granada (R)	**16,377**	**(100%)**
Sommer (L)	**147**	**(100%)**

Franklin School Board Member Pearle Woodall verified two slivers of conventional wisdom: 1) that a candidate needs a lot of money to oust an incumbent; and 2) that one issue like abortion does not a campaign make unless you have enough money to hammer the issue down your opponent's throat. Woodall did not have nearly enough money since she raised only a fraction of the $100,000 she estimated it would take to unseat incumbent Dom Cortese. Republicans rumble about gunning for Cortese come November in the wake of a minor scandal involving a Sacramento lobbyist who pled no contest to charges that he arranged to have Cortese's house painted.

DISTRICT 25 (52% D - 36% R)

Areias (D*)	**27,520**	**(100%)**
Cieslikowski (R)	6,713	(35%)
Gilmore (R)	**12,767**	**(66%)**
Hinkle (L)	**114**	**(100%)**

Areias v. Gilmore III.

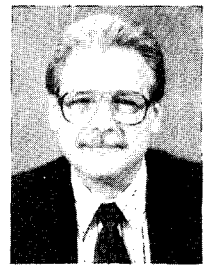
DISTRICT 26 (56% D - 35% R)

Johnston (D*)	**31,908**	**(100%)**
Keaster (R)	**20,456**	**(100%)**
Klohs (L)	**79**	**(100%)**

DISTRICT 27 (54% D - 37% R)

Cannella (D*)	**28,808**	**(100%)**
Lang (R)	**20,313**	**(100%)**
Shimp (L)	**65**	**(100%)**

Sal Cannella and Richard Lang will reprise their spring 1990 special election that saw Cannella



Cannella

Lang

defeat Lang for the right to assume the seat once held by Democrat Gary Condit, now a member of Congress.

DISTRICT 28 (54% D - 32% R)

Farr (D*)	**38,673**	**(100%)**
Walker (R)	**18,821**	**(100%)**

DISTRICT 29 (39% D - 48% R)

Lybarger (D)	**26,619**	**(100%)**
Seastrand (R*)	**39,795**	**(100%)**

DISTRICT 30 (59% D - 32% R)

Costa (D*)	**20,971**	**(100%)**
Hurt (R)	**6,970**	**(54%)**
Whalen (R)	5,853	(46%)

DISTRICT 31 (57% D - 36% R)

Bronzan (D*)	**26,257**	**(100%)**

DISTRICT 32 (44% D - 47% R)

McGoldrick (D)	**24,322**	**(100%)**
Jones (R*)	**33,612**	**(100%)**

DISTRICT 33 (50% D - 42% R)

Harvey (R*)	**23,124**	**(100%)**

DISTRICT 34 (40% D - 49% R)

Wyman (R*)	**34,340**	**(100%)**
Tisbert (L)	**153**	**(100%)**

DISTRICT 35 (49% D - 37% R)

O'Connell (D*)	**27,018**	**(100%)**
O'Shaugnessy (R)	**19,129**	**(100%)**

DISTRICT 36 (37% D - 51% R)

Connell (D)	**22,746**	**(100%)**
McClintock (R*)	**27,178**	**(81%)**
Staker (R)	6,502	(19%)
Harner (L)	**193**	**(100%)**

Tax attorney Kevin Staker didn't pose much of a roadblock for Republican Assembly rebel Tom McClintock, whose internecine battles with Minority Leader Ross Johnson have helped fracture the GOP caucus. Staker's chances of derailing McClintock disappeared when Johnson stood by the incumbent.

DISTRICT 37 (36% D - 52% R)

Petrie (D)	**22,203**	**(100%)**
Wright (R*)	**21,469**	**(59%)**
Braly (R)	14,741	(41%)
Spooner (L)	**132**	**(100%)**

The high cost of elections just got higher as Republican Cathie Wright shelled out nearly $500,000 in her successful effort to beat back a challenge from Hunt Braly, former chief aide to state Senator Ed Davis. Braly spent another $250,000 in capturing 41 percent of the vote

Wright

Braly

against a five-term incumbent. Braly, a veteran campaigner who has worked for Ronald Reagan and Pete Wilson, was helped by Wright's personal problems (over attempts to ease punishment meted out to her daughter because of a bad driving record), and by endorsements from four of the five area newspapers. He was hurt by his pro-choice stand on abortion and his support for some forms of gun control. The low turnout (around 30 percent of registered voters for the Assembly primary) gave added weight to the votes of pro-life Republicans who were organized and rallied around Wright. The National Rifle Association also sent a few torpedoes into Braly's campaign.

DISTRICT 38 (42% D - 48% R)

Allert (D)	**15,264**	**(64%)**
Crandall (D)	8,457	(36%)
Boland (R)	**11,315**	**(43%)**
Scott (R)	3,682	(14%)
Styles (R)	1,540	(6%)
Thomas (R)	1,251	(5%)
Wilcox (R)	8,847	(33%)
Najbergier (P&F)	**37**	**(58%)**
Parker (P&F)	27	(42%)

Incumbent Republican Marian LaFollette, who is retiring, tried to pass the torch to her administrative assistant, 24-year-old Robert Wilcox. But the torch was intercepted by long-time community

Boland

Scott

Styles

Wilcox

activist Paula Boland, who picked up key endorsements from the likes of Mike Antonovich and Deane Dana before capturing a surprising 43 percent of the vote in a crowded field. Wilcox came in second with 33 percent, while attorney Bob Scott finished third. Scott spent a lot of his own money on the campaign, promoting himself as the independent candidate while tying Wilcox and Boland to the area's warring political "machines" — those of state Senator Ed Davis and

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former Congresswoman Bobbie Fiedler, respectively (see "Primary analysis," CJ, July 1986). Boland, a realtor by trade, spent over $100,000 and put together a large volunteer force. Ultimately, district Republicans opted for Boland's experience over Wilcox' youth.

DISTRICT 39 (57% D - 34% R)

Katz (D*)	**18,550**	**(100%)**
Ceravolo (L)	**9,987**	**(100%)**

DISTRICT 40 (56% D - 34% R)

Bane (D*)	**23,546**	**(85%)**
Bailey (D)	4,160	(15%)
Gabriel (R)	**11,182**	**(100%)**
Vernon (L)	**116**	**(100%)**

DISTRICT 41 (41% D - 50% R)

Mann (D)	**11,409**	**(61%)**
McKenzie (D)	7,421	(39%)
Nolan (R*)	**25,508**	**(100%)**
Helms (L)	**130**	**(100%)**
Velasquez (P&F)	**62**	**(100%)**

DISTRICT 42 (39% D - 51% R)

Fierro (D)	**15,929**	**(100%)**
Mountjoy (R*)	**26,479**	**(100%)**
Fritschler (L)	**79**	**(100%)**

DISTRICT 43 (55% D - 35% R)

Friedman (D*)	**33,638**	**(100%)**
Passi (R)	**15,642**	**(100%)**
Rotter (L)	**124**	**(100%)**
Lindblad (P&F)	**71**	**(100%)**

DISTRICT 44 (59% D - 29% R)

Hayden (D*)	**31,276**	**(75%)**
Cota (D)	10,277	(25%)
Beteta (R)	**8,388**	**(51%)**
Stout (R)	8,002	(49%)
Donner (L)	**148**	**(100%)**
Burdick (P&F)	**135**	**(100%)**

Alex Cota is making progress in his biennial attempt to oust Tom Hayden. Two years ago he garnered over 6000 votes. This time, he improved by some 17 percent, while Hayden's total fell by over 20 percent. On the GOP side, Gloria Stout lost her bid to challenge Hayden for the third time. That dubious honor now falls to Santa Monica College trustee Fred Beteta.

DISTRICT 45 (59% D - 29% R)

Margolin (D*)	**25,161**	**(100%)**
Davis (R)	2,990	(27%)
Michael (R)	**7,937**	**(73%)**
Staley (P&F)	**77**	**(100%)**

DISTRICT 46 (59% D - 28% R)

Roos (D*)	**11,042**	**(89%)**
Genovese (D)	1,440	(11%)
Church (R)	**2,436**	**(55%)**
Watts (R)	1,966	(45%)
Everling (L)	**50**	**(100%)**
Robrish (P&F)	**52**	**(56%)**
Taves (P&F)	41	(44%)

DISTRICT 47 (81% D - 11% R)

Hughes (D*)	**12,702**	**(85%)**
Hunter (D)	2,243	(15%)

DISTRICT 48 (84% D - 10% R)

Archie-Hudson (D)	**9,724**	**(45%)**
Farrell (D)	6,563	(30%)
Wright (D)	2,895	(13%)
Wells (D)	2,411	(11%)
Salazar (R)	**2,081**	**(100%)**
Castaneda (L)	**13**	**(100%)**

This seat has been held since 1976 by Maxine Waters. But Waters is taking her high intelligence and brassy style to Washington where — barring some stunning upset — she will succeed Gus Hawkins in the Congress. Her successor will be Marguerite Archie-Hudson, who pulled off a surprisingly easy victory over Los Angeles City Councilman Robert Farrell. Archie-Hudson had the blessing of Waters, Assembly Speaker Willie Brown and a host of others both in Sacramento and Los Angeles. She also showed an ability to raise money on her own. Farrell, on the other hand, had the backing of Los Angeles Mayor Tom Bradley. The size of Farrell's loss, however, has

Archie-Hudson

Farrell

LA pundits wondering if the four-term incumbent's political career has suffered a permanent injury. He is up for reelection to the Council in 1991, and a big loss on the home turf often is seen as a sign of weakness.

DISTRICT 49 (73% D - 18% R)

Moore (D*)	**30,879**	**(100%)**
Givens (R)	**7,132**	**(100%)**
Rogers (L)	**74**	**(100%)**
Miles (P&F)	**58**	**(100%)**

DISTRICT 50 (77% D - 16% R)

Tucker (D*)	**25,723**	**(100%)**
Long (P&F)	**37**	**(100%)**

DISTRICT 51 (37% D - 52% R)

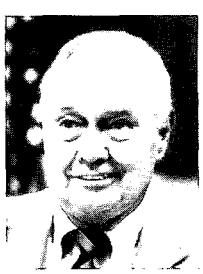
Landau (D)	**16,935**	**(100%)**
Felando (R*)	**27,839**	**(100%)**
Gaillard (L)	**150**	**(100%)**

DISTRICT 52 (42% D - 48% R)

Neely (D)	**16,918**	**(100%)**
Baca (R)	4,392	(18%)
Baker (R)	615	(2%)
Manning (R)	4,290	(17%)
Horcher (R)	**4,456**	**(18%)**
Dortignac (R)	1,122	(5%)
Grisham (R)	3,424	(14%)
Mautino (R)	3,353	(13%)
Russo (R)	3,466	(14%)

The burning question: Is Wayne Grisham's political career finally over? Or will he return after the next reapportionment, when Southern California is expected to gain a few new congressional seats? Grisham sought to return to Sacramento by dove-tailing on the election to the state Senate

Baca



Grisham

Horcher

Manning

of former Assemblyman Frank Hill. But his plans went awry in a very crowded GOP primary that saw Diamond Bar Councilman Paul Horcher eke out a 64-vote victory over Wil Baca, a member of the Hacienda Heights Improvement Association. Grisham finished over 1000 votes off the pace. One candidate, Jim Baker, reinforced the conventional wisdom that refusing to accept campaign contributions is tantamount to political suicide when he polled but 2 percent of the vote and finished dead last among Republicans. Horcher's advantage was money and political expertise — he pumped $100,000 of his own dough into the campaign and hired veteran consultant Harvey Englander to manage his race.

DISTRICT 53 (60% D - 29% R)

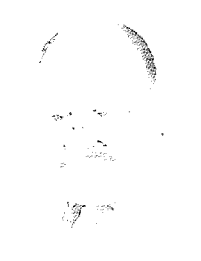
Floyd (D*)	**19,937**	**(100%)**
Davis (R)	**9,156**	**(100%)**

DISTRICT 54 (65% D - 28% R)

Murray (D*)	**14,794**	**(71%)**
Baisley (D)	6,169	(29%)
Hart-Holifield (R)	**6,070**	**(59%)**
Howard (R)	4,231	(41%)
Olivier (L)	**50**	**(100%)**
Lynn (P&F)	**28**	**(100%)**

Willard Murray brushed aside his primary challenger, registered nurse Fred Baisley. On the Republican side, Emily Hart-Holifield is a Black educator who must now run uphill in an overwhelming Democratic district, although this district was represented by a Republican from 1984 to 1986. One measure of the nature of this district is the fact that Hart-Holifield's campaign literature neglects to mention she is a Republican.

Hart-Holifield



Murray

DISTRICT 55 (66% D - 23% R)

Polanco (D*)	**14,920**	**(100%)**
Olvera (L)	**71**	**(100%)**

DISTRICT 56 (74% D - 15% R)

Roybal-Allard (D*)	**9,304**	**(100%)**

DISTRICT 57 (61% D - 29% R)

Elder (D*)	**16,119**	**(85%)**
Musgrave (D)	2,856	(15%)
Guarneri (R)	**7,946**	**(100%)**

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DISTRICT 58 (39% D - 50% R)

Bishop (D)	7,077	(29%)
Pryor (D)	**17,567**	**(71%)**
Alban (R)	9,031	(25%)
Hall (R)	5,364	(15%)
Kellogg (R)	3,695	(10%)
Mays (R)	**11,708**	**(33%)**
Von Elten (R)	6,107	(17%)
Stier (L)	**177**	**(100%)**

When incumbent Dennis Brown decided not to seek reelection, it prompted a crowded field of Republicans to challenge for his seat. And in a large field, who you know and who knows you often is as important as how much money you have. Thus did a basketful of endorsements and a wealth of positive publicity following last February's Southern California oil spill allow Huntington Beach Mayor Tom Mays to overcome a dearth of money in this five-way GOP primary. An ally of Brown, Mays picked up endorsements from local heavyweights like Congressman Bob Dornan, state Senator Ed Royce, and Orange County supervisors Harriet Wieder, Roger Stan-

Alban

Hall

Mays

Von Elten

ton and Tom Riley. In addition, when an oil spill threatened Huntington Beach, Mays' role in the clean-up effort was spotlighted by the media. The recognition allowed him to make up for the lack of a substantial warchest and coast to a comfortable victory over Dr. Sy Alban, whose candidacy was generously supported by the California Medical Association. Alban ran second, followed by two other local elected officials: Long Beach Council members Jan Hall and Jeffrey Kellogg. Developer Peter Von Elten has raised a lot of early money and published glitzy brochures promoting his service with the Army in Vietnam.

DISTRICT 59 (62% D - 28% R)

Becerra (D)	**8,448**	**(35%)**
Hernandez (D)	1,381	(6%)
Maestas (D)	6,786	(28%)
Martinez (D)	6,249	(26%)
Salazar (D)	1,392	(6%)
Kipp (R)	3,043	(33%)
Lieberg (R)	**6,117**	**(67%)**
Pencall (L)	**45**	**(100%)**

Incumbent Charles Calderon's move to the state Senate to replace Joe Montoya left his Assembly seat up for grabs in the Democratic primary. Much of the attention focused on two women: Marta Maestas, Calderon's former administrative assistant, who also had the endorsement of the state Democratic convention; and Diane Martinez, a member of the Garvey District School Board and daughter of the Congressman Marty Martinez who had the backing of the Berman-Waxman political operation. But the nomination went instead to Xavier Becerra, a deputy attorney

Becerra

Maestas

Martinez

general and former aide to the area's state senator, Art Torres. With Torres' help, Becerra put together a strong grassroots campaign that turned out an army of volunteers to walk precincts. Those volunteers gave him momentum late in the campaign, as did a late fund-raising effort which brought in enough money to offset money raised early by Martinez and Maestas.

DISTRICT 60 (60% D - 30% R)

Tanner (D*)	**14,599**	**(100%)**
Aguirre (R)	**6,962**	**(100%)**

DISTRICT 61 (39% D - 50% R)

Johnson (D)	**23,059**	**(100%)**
Woodruff (R*)	**25,110**	**(70%)**
Johnson (R)	10,938	(30%)
Harbour (L)	**117**	**(100%)**

DISTRICT 62 (41% D - 50% R)

Calnan (D)	**18,984**	**(100%)**
Lancaster (R*)	**27,262**	**(100%)**

DISTRICT 63 (56% D - 36% R)

Epple (D*)	**18,604**	**(100%)**
Boggs (R)	**12,698**	**(100%)**

DISTRICT 64 (35% D - 55% R)

Gardner (D)	**14,860**	**(100%)**
Johnson (R*)	**26,047**	**(100%)**

DISTRICT 65 (40% D - 50% R)

Erwin (D)	**19,359**	**(100%)**
Brulte (R)	**21,121**	**(75%)**
Nymeyer (R)	7,228	(26%)

Jim Brulte easily brushed aside Pomona City Councilman Mark Nymeyer for the right to succeed incumbent Charles Bader, who is leaving the Assembly to challenge Democrat Ruben Ayala for his seat in the state Senate. Brulte has good GOP credentials, having served on the Washington staff of former U.S. Senator Sam Hayakawa, on the staff of the Republican National Committee in Washington, at the Defense Department during the Reagan administration, and as an advance man for then-Vice President George Bush. Since 1987, he has been Bader's chief of staff.

DISTRICT 66 (55% D - 36% R)

Eaves (D*)	**13,336**	**(57%)**
Baca (D)	10,287	(44%)
Hall (R)	**13,180**	**(100%)**

Jerry Eaves had a surprisingly tough time with old foe Joe Baca. Two years ago, Baca — backed by Assembly Democrats loyal to Willie Brown — made an all-out effort to knock Gang-of-Fiver Eaves out in the primary. The campaign was an ethical morass, topped off when Baca forces

Baca

Eaves

faked an endorsement from U.S. Senator Ted Kennedy. Eaves eventually won by a 56-44 percent margin. This time, with the Gang-of-Five rebellion laid to rest, Baca got no help from other Assembly Democrats yet finished with nearly the same percent of the vote. Baca was helped by a National Rifle Association mailer on his behalf. Eaves did not campaign, choosing to husband his resources for November.

DISTRICT 67 (30% D - 60% R)

Smoller (D)	**15,375**	**(100%)**
Lewis (R*)	**30,881**	**(100%)**

DISTRICT 68 (53% D - 38% R)

Clute (D*)	**24,741**	**(100%)**
Hage (R)	**11,400**	**(55%)**
Holbert (R)	9,509	(46%)

A pure case of numbers in the GOP primary: Clay Hage is active in Moreno Valley where more than 100,000 people live; Terry Holbert is a city councilman from Banning, with its 17,000 residents. Hage also hit Holbert with an ethics issue. Seems Holbert sent out a fund-raising letter using Banning city letterhead.

DISTRICT 69 (32% D - 56% R)

Toledano (D)	**17,819**	**(100%)**
Frizzelle (R*)	**31,352**	**(100%)**

DISTRICT 70 (27% D - 62% R)

Adler (D)	**19,671**	**(100%)**
Ferguson (R*)	**33,606**	**(63%)**
Badham (R)	19,393	(37%)

Bedrock conservative Gil Ferguson, who has made a career out of bashing Tom Hayden, survived a primary challenge from Phyllis Badham, she of the semi-prominent Southern California

Badham

Ferguson

political family of Badhams. Badham, 30-ish daughter of retired Congressman Bob, tried to make an issue of Ferguson's pro-life stance on abortion. In the end, she lacked enough money to make a credible challenge.

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DISTRICT 71 (41% D - 49% R)

Mathews (D)	**11,128**	**(59%)**
Polis (D)	7,871	(41%)
Allen (R*)	**22,020**	**(100%)**

DISTRICT 72 (52% D - 39% R)

Umberg (D)	**8,583**	**(65%)**
Yudelson (D)	4,689	(35%)
Pringle (R*)	**9,861**	**(100%)**

Assistant U.S. Attorney Tom Umberg defeated Democratic Party activist Jerry Yudelson two-to-one in the Democratic primary for the right to face incumbent Republican Curt Pringle in November. Yudelson had dedicated part of his resources to a lawsuit against Pringle, charging that the incumbent had used campaign funds to defend himself in court. Pringle was in court in the first place because his campaign hired poll guards who allegedly tried to intimidate Latino voters during the 1988 election. The fall race promises to be a donnybrook because, during the 1980s, this district was represented at times by both a Republican (the late Richard Longshore) and a Democrat (Richard Robinson).

DISTRICT 73 (40% D - 51% R)

Strait (D)	**26,724**	**(100%)**
Kelley (R*)	**35,751**	**(100%)**

DISTRICT 74 (31% D - 56% R)

Franklin (D)	**19,652**	**(100%)**
Frazee (R*)	**37,991**	**(100%)**
Hunt (L)	**194**	**(100%)**
Rico-Webber (P&F)	**38**	**(100%)**

DISTRICT 75 (33% D - 52% R)

Alpert (D)	**21,433**	**(100%)**
Mojonnier (R*)	**15,929**	**(39%)**
McGrath (R)	5,783	(14%)
Rodkin (R)	7,590	(19%)
Delaney (R)	11,396	(28%)
Murphy (L)	**271**	**(100%)**
Phuong Huynh (P&F)	**54**	**(100%)**

Incumbent legislators usually don't draw a crowd of primary challengers unless there is already a leak in the boat, and Republican Sunny Mojonnier has been baling water for the better part of a year. A generally lackluster image, spiced with charges she spent campaign money on an "image consultant" and used sergeants-at-arms to run personal errands prompted three other Republicans to try and help end her career. And therein lies the tale of Mojonnier's survival: Had she been forced to run one-to-one against, say, former Del Mar Mayor Ronnie Delaney, she would have been sunk. But the GOP vote total was spread among four candidates, allowing Mojonnier to float through with less than 40 percent of the vote.

DISTRICT 76 (32% D - 55% R)

Thorne (D)	**23,283**	**(100%)**
Hunter (R*)	**27,004**	**(52%)**
Youngkin (R)	24,509	(48%)
Holmes (L)	**227**	**(100%)**
Kline (P&F)	**48**	**(100%)**

Incumbent Tricia Hunter's position as a pro-choice Republican was the issue in this race, and the only issue. Hunter won this seat as a pro-choice, pro-gun-control Republican a year ago in a special election, and it was inevitable that pro-life forces would organize around an effort to defeat her. Anti-abortion activist Connie Youngkin provided the rallying point in an election that wasn't decided until three days after polls closed because of delays in counting votes from Riverside County. Youngkin, who has been arrested in the past for blocking the entrances to abortion clinics, hammered away at Hunter's pro-choice position and drew some encouragement from district support given to anti-abortion activist William Allen, a Republican write-in candidate for governor. In the end, however, Youngkin's one-note campaign fell short, especially in more moderate Republican areas of Riverside County, where Hunter's victory margin was 9 percent.

Hunter

Youngkin

DISTRICT 77 (37% D - 50% R)

Connolly (D)	**20,714**	**(100%)**
Bentley (R*)	**28,278**	**(100%)**
Denis (L)	**129**	**(100%)**
Edelman (P&F)	**42**	**(100%)**

DISTRICT 78 primary (45% D - 41% R)

Abeles (D)	3,298	(11%)
Brooks (D)	1,645	(6%)
Gotch (D)	**20,270**	**(70%)**
Wayne (D)	3,695	(13%)
Marston (R)	**19,788**	**(82%)**
Ramshaw (R)	1,539	(6%)
Rowe (R)	2,711	(11%)
McWilliams (L)	**224**	**(100%)**
Bardell (P&F)	**85**	**(100%)**

Election day provided a two-fer: Republican Jeff Marston beat Democrat Mike Gotch to fill out the term of former Democratic Assemblywoman (now Senator) Lucy Killea; and Marston and Gotch were nominated by their respective parties to duel once more in November.

DISTRICT 78 special election

Gotch (D)	26,531	(45%)
Marston (R)	**28,476**	**(48%)**
Evans (P&F)	4,502	(8%)

When Democratic Assemblywoman Lucy Killea won a special election last year to fill out the state Senate term of Republican Larry Stirling, some observers thought her victory might hurt Democrats over the long haul. Their reasons? Without Killea's personal popularity to offset strong GOP registration, her old Assembly district might fall to a Republican. And for similar reasons, Democrats might lose her Senate seat should Killea decide not to seek reelection in 1992. Well, the first part of the prophesy came true, at least temporarily, on June 5th when Democrat Mike Gotch, a former San Diego city councilman, lost to Republican Jeff Marston, a former city council aide, in a special election to fill out Killea's term. Gotch actually collected more votes on election day than did Marston, but the election was already lost thanks to an aggressive Republican absentee-ballot campaign that saw Marston build up a 2000-vote advantage before the polls opened for business. Marston's victory was something of an upset. Many observers thought Gotch might win the seat outright in a special primary last March (he would have needed 50 percent, plus one vote). Gotch was well known and had represented virtually the same area as a member of the San Diego City Council. But as the San Diego Tribune indicated, familiarity may have bred contempt. As a councilman, Gotch supported a controversial beachfront development not popular with locals. Gotch was also hurt

Gotch

Marston

by the presence of Peace and Freedom candidate Jane Rocio Evans, who polled 4502 votes, the lion's share of which may have gone to Gotch had Evans not been on the ballot. Both candidates now must rearm for a November rematch.

DISTRICT 79 (56% D - 31% R)

Chacon (D*)	**12,375**	**(54%)**
Ballesteros (D)	7,537	(33%)
Warren (D)	3,036	(13%)
Covalt (R)	**9,616**	**(100%)**
Terrill (P&F)	**49**	**(100%)**

Incumbent Peter Chacon, hampered by a poor legislative image, survived a primary challenge from two fellow Democrats. Early on election night, there were fears that Chacon would be dumped as he trailed Ballesteros throughout most of the evening. Late returns, however, reversed the tide and pushed the incumbent over

Ballesteros

Chacon

the top. Chacon ran what some observers termed "an invisible campaign," refusing to appear with his opponents at various candidate debates. His traditional pro-life stand on abortion also hurt Chacon, although not as much as was feared at the outset of the contest. Chacon attempted to soften his position during the campaign, and pro-choice forces failed to provide Ballesteros with the same level of support given to state Senator Lucy Killea's campaign last year. Chacon was also helped by last-minute brochures from Assembly Speaker Willie Brown Jr. and from the Reverend Jesse Jackson that were sent to the district's Black community.

DISTRICT 80 (50% D - 38% R)

Peace (D*)	**12,118**	**(55%)**
Garcia (D)	5,480	(25%)
Vandeveld (D)	4,541	(21%)
Kelly (R)	**15,151**	**(100%)**
Bell (AI)	**197**	**(100%)**
Myrseth (L)	**78**	**(100%)**

Incumbent Steve Peace won over two candidates in a race spiced with sleazy tactics, especially on the part of Democrat Darrell Vandeveld. Seems the Chula Vista attorney put out a campaign piece that bore endorsements from local representatives of the Sierra Club and Common Cause — endorsements which slammed Peace's integrity. Only one catch: The endorsements were — how you say — exaggerated. Vandeveld ended up sending an apology to representatives of both organizations. And Peace ended up squeaking through the primary.

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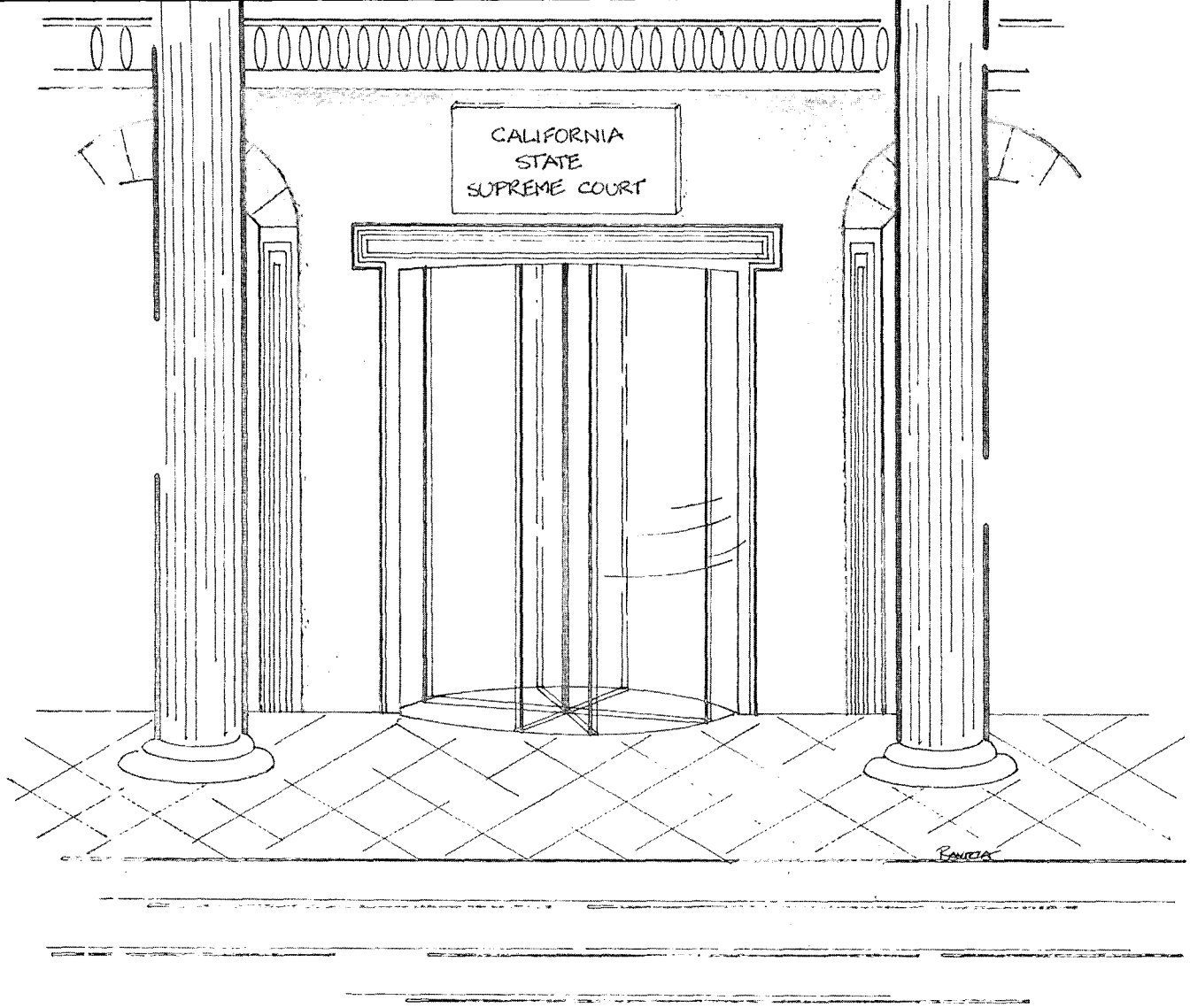

The Supreme Court's revolving door

Is all the turnover good for the high Court?

By Robert Egelko

It took an $11 million campaign in 1986 to get Chief Justice Rose Bird and Justices Cruz Reynoso and Joseph Grodin off of the state Supreme Court. Getting their three successors to leave was a lot cheaper: $86,371 a year, apiece — the price of a pension.

Justices John Arguelles, Marcus Kaufman and David Eagleson, the veteran jurists appointed by Governor George Deukmejian when he remade the Court in 1987, announced their retirements with little fanfare or emotion after two, three and four years' service, respectively.

The departures prompted one commentator to talk gloomily of a "turnstile Court." They also were a sign that the death penalty, the

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Robert Egelko covers the state Supreme Court from the San Francisco bureau of the Associated Press.

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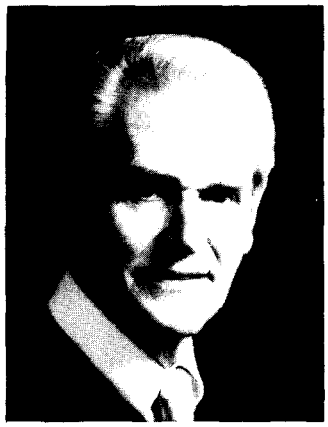
downfall of the Bird Court, continues to serve up an intractable problem for the state's judiciary.

Arguelles, 61 when he retired, and Kaufman, 60, later outlined their reasons to reporters — reasons that were predictable. (Eagleson, 65, is keeping mum until he steps down officially next January.) The two had each spent more than two decades on the bench, done their part to get the Court back on its feet, and wanted to spend more time with their families. The workload was rewarding but arduous (Arguelles) or "overwhelmingly tedious" (Kaufman), yet they might have stayed if they hadn't been confident the Court was in good hands, and if they weren't newly eligible for

Bird



Lucas

maximum pension benefits.

Speaking separately from one another, Arguelles and Kaufman explained how the judges' pension system discouraged them from remaining on the bench. (Both are now associated with large Southern California law firms, where they no longer work most nights and weekends and presumably make more than the justices' $115,161 annual salary.) They wouldn't have been penalized for staying a little longer — only a judge who remains past 70 suffers a cut in future benefits, from 75 to 50 percent of salary — but once a judge has 20 years on the bench the maximum pension eligibility is reached at age 60. After that, judges must keep contributing 8 percent of their salary to the pension fund.

"It's almost like working for nothing," Arguelles said. Besides, he observed, Deukmejian had been good enough to appoint him, and, "I decided that with the Court stabilized, and with the awareness that [Deukmejian] would name my successor — and I had confidence in his abilities to select a very able person — I felt that I could leave ...The Court has continued to function in my absence."

In other words: no big deal. Judges come and go, but the Court endures — at least the current, stabilized court. Joyce Kennard, 48, has replaced Arguelles, Armand Arabian, 55, has taken Kaufman's spot, and Deukmejian will shortly name another of his appellate justices to succeed Eagleson, who leaves two months after his 20th anniversary on the bench. Only the faces change, getting younger and further from early retirement incentives.

Kaufman even speculated that Deukmejian had deliberately picked three judges who were close to retirement age in 1987, intending them to be "interim appointees."

That was denied by Marvin Baxter, who was Deukmejian's appointments secretary in 1987 and now is a justice on the Fifth District Court of Appeal in Fresno and a candidate to succeed Eagleson. "I don't know of any way anyone can ever predict the tenure of a judge," Baxter said. Kaufman disclaimed any inside knowledge, but his suggestion had a certain plausibility, based on the premise that Deukmejian was familiar with his judges' thinking.

It is perhaps unfair to imply that these are peculiarly the actions of Republican appointees, who think of the Court as a stepping-stone to a comfortable corporate practice. Justices of all political stripes have resigned over the years for reasons both profound and mundane; Justice Otto Kaus, a Jerry Brown appointee, quit in 1985 after four years with much the same explanation as the recent retirees; and Justice Frank Newman, another Brown appointee, left after an even briefer stay in 1982 to return to teaching. It may also be only an historical irony that membership on the Court is treated as relatively inconsequential less than four years after an election in which it was seen as holding the balance of power in California.

The three defeated justices, however, who spent over $2.5 million trying to keep their jobs, could be forgiven for viewing their successors as insufficiently devoted to the Court, although they have not said so publicly. Grodin, now a law professor, refused to criticize the new retirees, commenting only in the abstract that it hurt the Court's reputation and prestige "to regard it as a place where people can come and go casually."

"If someone of the U.S. Supreme Court were to resign because they thought they didn't have anything more to

Grodin

Reynoso

gain in pension by staying on and they could make a lot of money by private practice or private judging, I think we would be quite astonished," the former justice said.

This is not the U.S. Supreme Court, of course — there is no life tenure, and the rulings bind no one outside of California — but not long ago it was generally placed in the top rank of the nation's state courts. That image took a battering during the 1986 election. One who saw it as further harmed by the recent retirements was J. Anthony Kline, Governor Jerry Brown's former legal affairs secretary and chief judge-screener and now a Brown-appointed presiding justice on the 1st District Court of Appeal in San Francisco.

"I think what these departures are doing is reinforcing a diminished image of the California Supreme Court and an increasing view that it is not as much the apex of a legal career," Kline said. "The most ominous message ... is that the [state] Supreme Court is no longer seen as the best job that a lawyer or judge could have."

The "turnstile Court" label came from Gerald Uelmen, dean of the Santa Clara University Law School, who has become a kind of unofficial statistician of the Court as well as one of its foremost commentators. One of his studies showed that the average stay on the Court between 1936 and 1986 was 13 years.

"I think the days of long tenure on the Court may well

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be over," Uelmen said. Rapid turnover, he said, is "very disruptive," and hurt the Court's "long-term stability and predictability." Grodin had a similar view: Great state courts are usually those whose stable memberships give them "a kind of institutional coherence."

But words like "prestige," "reputation" and "stability" may mean one thing to a law professor or the legal community, and quite another to the general public.

However the Bird Court may have been regarded in academic circles — a matter of considerable debate — it was rejected by the voters after a campaign that subjected the Court to an unprecedented level of public scrutiny. Californians may no longer know who their justices are, but their esteem for, or at least acceptance of, the Court has evidently been restored; all five Deukmejian appointees are to be on the ballot this November, and it would be astonishing if any encountered substantial opposition. As for stability and continuity, as Arguelles noted, one set of Deukmejian appointees has replaced another; the character of the Court — the majority's background and overall outlook, and the kinds of decisions that can be expected — remains the same.

Why, then, should anyone outside of a narrow circle of Court-watchers and appellate lawyers care about the resignations on the state's highest Court?

There are a few reasons.

First, the Court has severely curtailed its role as the arbiter of civil law in California — the area of its work that affects its constituents the most, as homeowners and renters, employers and employees, insurance buyers, injury victims and taxpayers. Turnover is an important contributor to the slowdown, though not the only one.

According to Uelmen's latest study, the Court issued only 105 written decisions in the 12 months ending March 31st — down from a normal pace of 140 the previous year. Just 28 rulings were in civil cases, compared to 43 in routine lawyer discipline cases, with the rest in capital and other criminal cases. The decline was even more drastic in the number of cases accepted for hearing — the Court's mechanism for determining its docket: just 80, compared with a 10-year average of 268.

Arguelles

Kaufman

The downturn coincided with the debut of Kennard, who is by all accounts a hard worker and a fast learner. She wrote only two majority opinions during the year. A similar initiation period can be expected for Arabian, appointed this year, and for Eagleson's successor next year.

"It takes at least a year for somebody to break in on the Court, particularly in the death-penalty cases," said Grodin, who served for four years. "A judge who has served on the Court of Appeal [which doesn't handle capital cases] hasn't had any exposure to that stuff. Even after you've broken in, you don't really hit full stride till you've been there for a few years."

"The justices appear to be working harder than ever, with less to show for it," Uelmen said in his study. (Some current and former justices have complained about regularly working six or seven days a week.)

Kennard

Arabian

The impact of the drop-off can be striking in individual cases. As the state's high Court accepts fewer cases, the last word on more and more of them belongs to the six appellate courts, each with judges of varying views and abilities and extremely low public profiles. And when a case is accepted for Supreme Court review, it can languish undecided for years.

The most notorious current example is a dispute over the power of the state Fair Employment and Housing Commission to award damages to discrimination victims for emotional distress and other types of harm they suffer, aside from loss of pay. The lawsuit, based on events that took place in 1980-81, was granted a hearing by the Bird Court in 1986 but has never been calendared for oral argument. Meanwhile, the commission has continued to award damages for emotional trauma — the largest single element of many of its cases, such as sexual harassment suits — but the awards are routinely appealed and tied up in lower state courts, which have issued conflicting rulings on their legality. The Legislature has twice passed bills to declare the commission's authority to award limited damages, but Deukmejian has vetoed them, saying the issue was before the Court. No one knows what the law is.

Instead of issuing rulings, the Court has turned to the arcane and much-criticized practice of "depublishing" appellate decisions as its most common method of shaping the law (see "Depublication," *CJ*, April 1985).

Only about 10 percent of Court of Appeal rulings are certified by those courts to be published in books of reported decisions, which can be cited as precedent by other judges and lawyers; once final, they become binding on trial courts statewide. ("Unpublished" appellate rulings are binding only on the parties.) However, the state Supreme Court, when deciding not to accept a case for review, can order a published appellate ruling erased from the books, leaving the result of the case unchanged but destroying its status as precedent. Depublication, unique to California, is supposed to indicate dissatisfaction with some aspect of the lower court's reasoning, but the high Court is not required to state its own reasons and never does. As a result, while it may remove some unwanted language from the casebooks, the process usually leaves everyone in the dark as to the Supreme Court's view of the law.

Abuse of the depublication process was one charge

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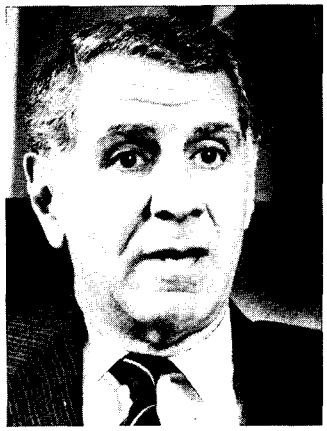
leveled by prosecutors against the Bird Court, although Bird herself disliked depublication and usually dissented from it. The current Court under Chief Justice Malcolm Lucas is depublishing about 130 cases a year — twice the Bird Court's rate, and last year depublished more cases than it decided.

Depublication casts the Court in the inapt role of censor rather than interpreter of the law and "injects a real mystery into the law," said Uelmen. But the justices have accepted the practice as a necessary evil to keep their caseload under control, as long as they lack the time to decide all pressing legal disputes themselves.

Eagleson



Deukmejian

The chief reason for the lack of time is the death penalty — the grim omnipresence of California law and politics. It undid the Bird Court and has disrupted — perhaps even dominated — the Lucas Court. Bird, Reynoso and Grodin were unseated largely because the Court upheld only four of 68 death sentences — a rate that proved politically unacceptable in a state that had not ousted a Supreme Court justice in 50 years. The current Court has affirmed more than 70 percent of its death sentences and decided the cases three times as fast, solving the political problem but creating a logistical mess.

Lucas, promoted to chief justice by Deukmejian in 1987, faced a backlog of 170 capital cases that had grown to 200 by the time Arguelles, Kaufman and Eagleson completed their shakedown year. He decided to make those cases the Court's top priority; in one dizzying year, the justices produced a record 56 death-penalty rulings but succeeded only in whittling the backlog down to its earlier size. The pace has slowed markedly since then due to turnover, reordering of priorities and the disruption, although about three-fourths of the cases are in early paperwork stages and not yet ready for Court arguments.

Arguelles, who usually voted with the majority to affirm death sentences, recently lent support to suspicions voiced by defense lawyers but denied by prosecutors — that the Lucas Court, by upholding death cases regularly, had encouraged prosecutors around the state to file more death-penalty charges, increasing still further the number of appeals the Court will have to review in the future.

The death cases, which the Court is required by law to review directly from the trial courts, occupy between 25 to 40 percent of the justices' time, by different members' estimates. The trial transcripts run thousands of pages, lawyers are required to raise every conceivable argument, and few important legal issues remain after 12 years of wrestling with the state's last death-penalty initiative.

The capital cases, though, are a response to the public's demand for the death penalty. The public also demanded a stiffening of the State Bar's disciplinary system, and the result has been an upsurge of routine lawyer misconduct cases, which also must be reviewed directly by the Supreme Court, and which occupy an increasing portion of the justices' time. They have far less time than they need to tackle everything else on their plate, including issues of civil law that affect millions of people and offer the kind of intellectual challenge the Court is supposed to provide.

Kaufman said the excessive time spent on death cases was one reason, among many, for his retirement. Arguelles called the cases "cumbersome" but said they didn't hasten his departure. Eagleson, in a speech last year, denied that capital cases or "judge burnout" were serious problems for him or his colleagues. Uelmen said the response sounded like a "party line," and he was not alone in his doubts.

Gideon Kanner, a Loyola University law professor and a conservative counterpart to the liberal Uelmen, pointed critically to the 77 percent of the Court's opinions last year consisting of capital cases, other criminal cases and lawyer discipline.

Calling the Court's turnover alarming but understandable, Kanner wrote in a recent op-ed piece, "Few sensible men and women of great professional achievement are willing to spend the rest of their active lives poring over mountains of verbiage, responding to routine demands of society's dregs."

"It's hard not to conclude that the burden of death-penalty cases is wearing the justices down and burning them out," said Stephen Barnett, a UC Berkeley law professor.

The Court is likely to rid itself soon of automatic review of lawyer misconduct cases. A far more substantial and daring step would be to transfer initial review of capital cases to the Court of Appeal. Supreme Court review would still be required of all affirmed death sentences, but the idea is that appellate courts could weed out some of the flawed cases, distill the factual record and spread the workload around.

The longstanding proposal, which would probably require a state constitutional amendment, was endorsed recently by Arguelles and Kaufman. Bernard Witkin, a prominent California legal commentator, has said it's the only way the Court can get its caseload under control. But the present prospects are doubtful.

For one thing, Lucas said several years ago that the plan would only add another layer of delay; without his support, there would be little chance of legislative approval. Also, most appellate justices are opposed, for good reason: Their job carries the closest thing to guaranteed life tenure of any elected state office — a status that might change quickly for anyone with a record of death-penalty reversals. In fact, even if the transfer took place, it probably would only defer most of the high Court's death-penalty burden temporarily; relief seems possible only by either abolishing capital punishment, eliminating most of the defendants' constitutional safeguards, or adopting Justice Stanley Mosk's equally problematic proposal to split the Court into civil and criminal divisions.

For the moment, the Court's turnstile may slow down. Justice Edward Panelli, who has complained about the workload, isn't eligible for maximum retirement benefits until 1992. Lucas has been the subject of occasional retirement rumors, which he's denied; Mosk and Justice Allen Broussard have also disavowed any plans to leave, although that could change if a Democrat is elected governor.

But the latest defections could be a warning that the Court, which appeared to regain its health after the convulsions of 1986, is still ailing.

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SUCCESS STORIES

MEET PATRICE NASH-DAVIS

Patrice Nash-Davis is a California native, born and raised in the Los Angeles area. A flare for fashion and her strong personality, have helped her to succeed.

Shortly after completing high school, Patrice began working in a bank, where she stayed for 13 years. Patrice became interested in a career in optics following a visit to her own optometrist, who explained to her the many opportunities in the relatively little known field.

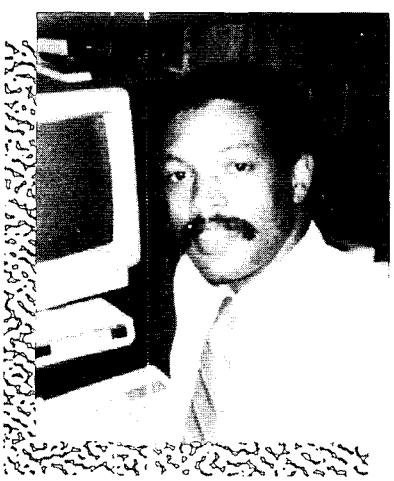
She entered the Optical Dispensing program at the American College of Optics in the spring of 1989 while attending school 4 nights per week and working full-time during the day at the bank. Upon completion of her training, she took a 30 day externship with Lenscrafters.

It was during that time that Patrice soon discovered a keen interest in becoming her own boss and decided to direct her energy and enthusiasm towards a goal of opening her own optical boutique dispensing prescription eyewear.

With the support of her own optometrist, Patrice opened her own optical boutique, "For Your Eyes Only" which held a grand opening on March 1, 1990 in her native town of Los Angeles. Her own boss and business, just months after completing her training.

Patrice Nash-Davis is truly a Success Story.

MEET KC JONES



KC Jones is a single father raising his six-year-old daughter, Kelly. He was born and raised in South Central Los Angeles. He attended Hollywood High School where he first developed an interest in computers.

Upon graduation from high school, KC attended the University of Indiana on a football scholarship. While there he was injured and returned to Los Angeles to have back surgery. The surgeon who operated on him, a USC graduate, played a big role in convincing KC to transfer to USC. Unfortunately, while a student at USC, KC experienced financial difficulties which forced him to drop out of college.

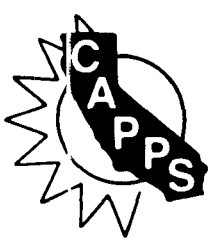
KC started working at Ralphs Grocery Store where he would remain employed for almost 11 years. While working at Ralphs, KC found himself still strongly attracted to a career working with computers. On his day off, he saw a television ad for a Computer Diagnostic & Repair program at United College of Business. KC went to United College of Business and enrolled the same day.

KC attended United College of Business full-time while also working full-time at Ralphs. He graduated from UCB in June of 1989. Only two weeks after graduation KC found himself working for Businessland, a company that installed all the computer systems for Ralphs Grocery Stores. Later, KC went to work for ComputerLand in order to further his work experience and knowledge of the computer repair industry.

Today with years of experience and a strong working knowledge in the industry, KC is proud to be working as a Dedicated Computer Technician for USC. He is in charge of all the computer systems in the library. As an employee of USC he also gets the added benefit of receiving full tuition. KC is now working to complete his undergraduate education while continuing to work full-time.

According to KC, "You just have to see my face to tell how happy I really am. I think you just have to be a total believer."

KC Jones is a Success Story.



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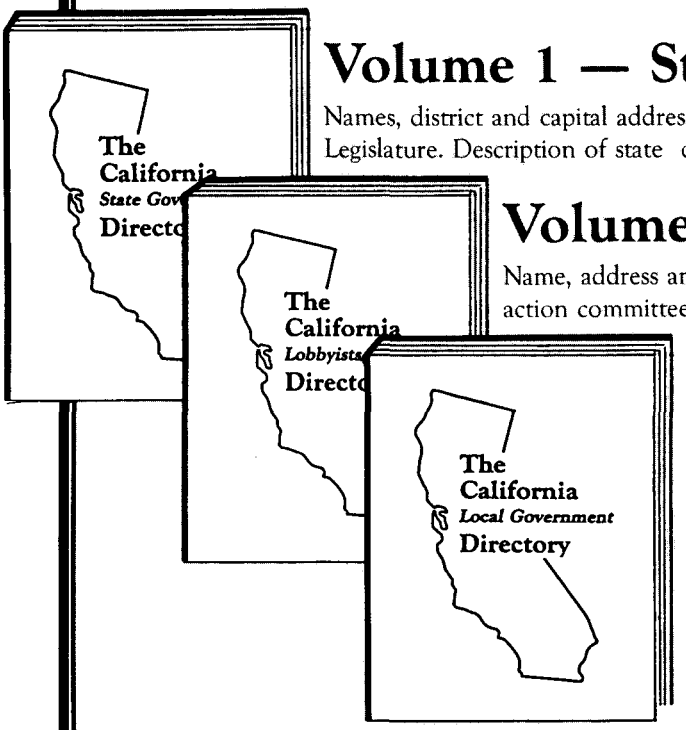

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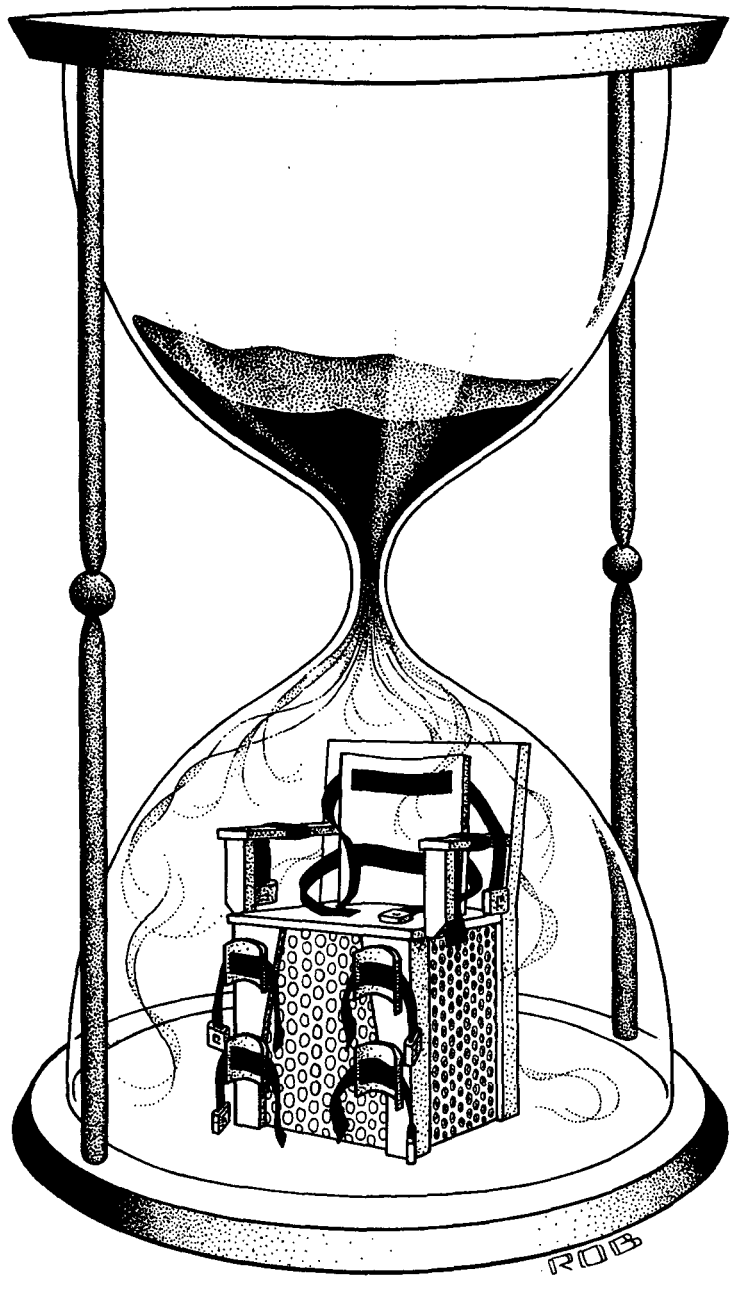
The death penalty in California

Closing in on the first execution

By Rebecca LaVally



Governor George Deukmejian, usually not a publicly passionate man, was livid during a hastily called news conference a few hours before Robert Alton Harris had been scheduled for an escorted walk into San Quentin's gas chamber.

Deukmejian told reporters that he and most of the state's other citizens were dismayed that the U.S. Supreme Court had just refused to lift a judge's stay of the execution on grounds that Harris had had inadequate psychiatric assistance at his trial.

"I know that I share with most Californians great disappointment and frustration," Deukmejian declared. Delaying Harris' death would "only result in the denial of justice," he complained, branding the federal appellate system "incompetent."

The Republican governor was on safe ground in championing the execution of triple-murderer Harris under a law that Deukmejian himself had carefully crafted while serving in the state Senate 13 years ago. His long campaign to send convicts to their deaths has been consistently endorsed and aided by California voters, who paved the way for Deukmejian to reconstitute the California Supreme Court in

Rebecca LaVally, former Sacramento bureau manager for Gannett News Service and United Press International, works for the Senate Office of Research.

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a conservative cast early in his second term.

Execution of California's first Death Row inmate since 1967 was just what most voters had in mind when they dumped Chief Justice Rose Bird and Associate Justices Joseph Grodin and Cruz Reynoso from the high Court nearly four years ago. A single issue dominated that historic revolt against the three appointees of Democratic Governor Jerry Brown, himself a foe of capital punishment. Voters were infuriated and justices kept reversing death sentences.

In a shift that legal scholars are calling dramatic and remarkable, the state Supreme Court, now dominated by Deukmejian appointees, has swung away from throwing out most death sentences to upholding most of them. And the pace of review has quickened (see previous story).

Statistics say it all: Within two years of Bird's departure, the Court's rate of affirming capital cases moved from third lowest among the 50 states to eighth highest. The Bird Court reversed 58 death sentences and upheld just four during her decade on the bench. Under her successor, Chief Justice Malcolm Lucas, the Court affirmed 64 of the 89 capital appeals it reviewed in just three years. Among the few who lost an appeal before the Bird Court was Robert Alton Harris — a fact the governor was quick to point out to reporters as evidence of the appropriateness of his death in the gas chamber.

Deukmejian made capital punishment an issue in both of his successful gubernatorial campaigns, repeatedly pledging to appoint "common sense judges."

In the aftermath of the purge of Bird, Grodin and Reynoso, he could mold the seven-member Court in his own image. It went from a 5-2 liberal majority in 1986 to 5-2 conservative domination in March 1987.

"Rarely has a high Court undergone such a dramatic change in so short a time," wrote Gerald Uelmen, dean of the Santa Clara University School of Law, in last November's Loyola of Los Angeles Law Review.

In a case-by-case comparison of the Bird and Lucas courts on death-penalty rulings, Uelmen concluded: "One is haunted by the sensation that two remarkably different institutions are at work, and the animus driving these two institutions is as different as night and day."

The Bird Court tended to resolve doubts in favor of reversing death sentences; the Lucas Court does not.

The new Court promptly struck down a controversial Bird Court ruling — responsible by itself for a spate of death-sentence reversals — requiring that murderers be shown to have had "an intent to kill" before the death penalty could be imposed.

Capital cases, most often involving first-degree murder, are elaborate. Separate phases determine guilt, whether the crime qualifies for the death penalty and, finally, whether death will be imposed. In each phase, troubles and errors can surface: the competence of the defense, the competence of a defendant to stand trial, jury selection, admissibility of evidence, jury instruction.

The Lucas Court has been more likely than the Bird Court to rule errors harmless, with no effect on the outcome of a case, in upholding verdicts and penalties.

Deukmejian's 1977 law was enacted by the Legislature over Jerry Brown's veto and was expanded 15 months later by voter approval of an initiative authored by ultra-conservative state Senator John Briggs, an Orange County Republican.

Uelmen, who publicly supported Bird, Grodin and Reynoso in 1986, said the Bird Court, in dissecting ambiguities in the Briggs initiative, sought to encourage

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prosecutors "to use the death-penalty law cautiously and selectively." The Lucas Court, he wrote, "has rejected a supervisory role, and the number of new death judgments is spiraling upwards."

Says Briggs: "I used to get the hell beat out of me for drafting a bad initiative, but it wasn't a bad initiative. We had some bad judges interpreting it. The judges that replaced [Bird, Grodin and Reynoso] agreed with the people and me, and it's nice to be right, after all these years," said Briggs, who is now a lobbyist in Sacramento.

Others who fought the three justices are applauding the new Court's penchant for directing more convicted murderers toward the gas chamber. Alameda County District Attorney John Meehan, who has studied the Bird Court's decisions, says it dragged its feet in reviewing capital cases and would "reach" for reasons to overturn them.

"We had in California a death penalty that was almost a joke," recalls Meehan, former president of the California District Attorneys Association, which targeted the three justices for defeat. "You'd do everything possible to have a clean trial but, by that time, the California Supreme Court was looking for any basis to reverse it. The Bird Court created law retroactively, causing cases to be reversed. It had a tremendous amount to do with their philosophical beliefs about the death penalty itself. We found ourselves as prosecutors trying cases on what we thought the law might be by the time it [the case] reached the California Supreme Court, which is an outrageous position."

Meehan says the Lucas Court has served justice by stepping up the pace of reviewing death cases, usually making its decisions within four months of hearing oral arguments.

"They're hearing a heck of a lot more cases," Meehan said. "Sometimes, with the Bird Court, we had to wait over a year for a decision to come down after oral arguments. There was a constant delay and lack of activity by the Bird Court in even considering these cases. Many defendants were sitting over at San Quentin for years waiting for the California Supreme Court ... You couldn't get the cases litigated. The Lucas Court, procedurally, has really turned it around.

"It's the feeling among prosecutors that the Court is fulfilling its responsibilities as an appellate tribunal," Meehan concludes of the Lucas Court.

But some defense attorneys suggest the new Court, mindful of voter sentiment in 1986, seems to sway with the political wind.

"Statistics are the black and white of it," says Elisabeth Semel, president of California Attorneys of Criminal Justice, the state's largest group of criminal defense lawyers. "The meat of it is the lives of the various defendants affected by this enormous swing the Court is taking."

She and others say errors ruled "harmless" by the Court could have enormous consequences for the men on Death Row.

"What I'm concerned about, as I read these opinions, is my perception that ... substantial, compelling issues are being dismissed in a rather perfunctory way by the Court," says Semel. "I'm concerned that efficiency, expediency ... are going to become the bywords of the review of cases rather than questions of individualized justice."

San Francisco capital defense lawyer Robert Bryan, chairman of the National Coalition to Abolish the Death Penalty, complains: "What scares me is ... the arbitrariness of the whole process. A lot of their decisions are shocking. They recognize error, but they say, well, it's harmless."

Law school dean Uelmen contends the Court is "second guessing" the thoughts of jurors when it rules errors harmless during the sensitive penalty phase — the point at which jurors must decide whether to impose death. He calls the trend "deeply disturbing."

Justices Lucas and Grodin, in remarks published in the *Los Angeles Times* more than a year before the 1986 election, revealed their stark differences in reviewing death cases for troublesome flaws. Their comments, in a larger sense, define the difference between the courts of Jerry Brown and George Deukmejian.

Lucas said: "I personally do not apply 'tougher' standards to capital cases ... Assuming proper and careful attention is given to reviewing these cases, the law should be uniformly and consistently applied without regard to the penalty selected in a particular case."

Said Grodin: "... the very fact that the penalty is final and irreversible makes it necessary for each judge, no matter what his or her personal views, to be exceedingly careful. Once the sentence is carried out, it is too late to correct mistakes."

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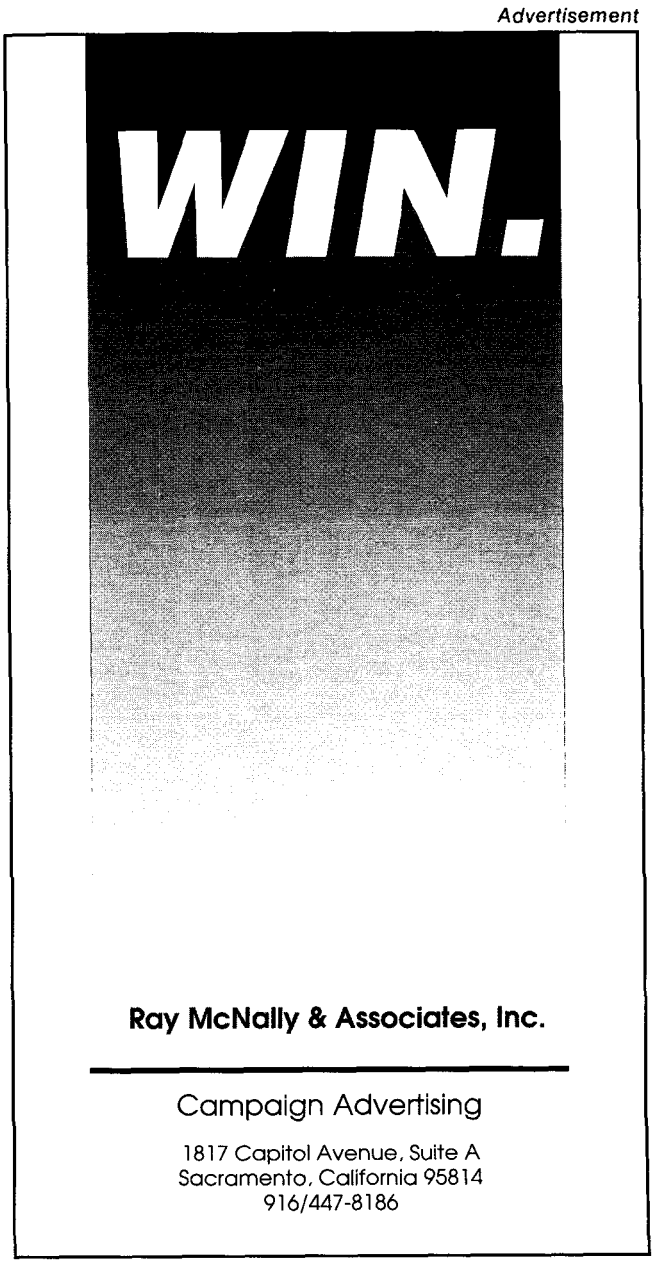

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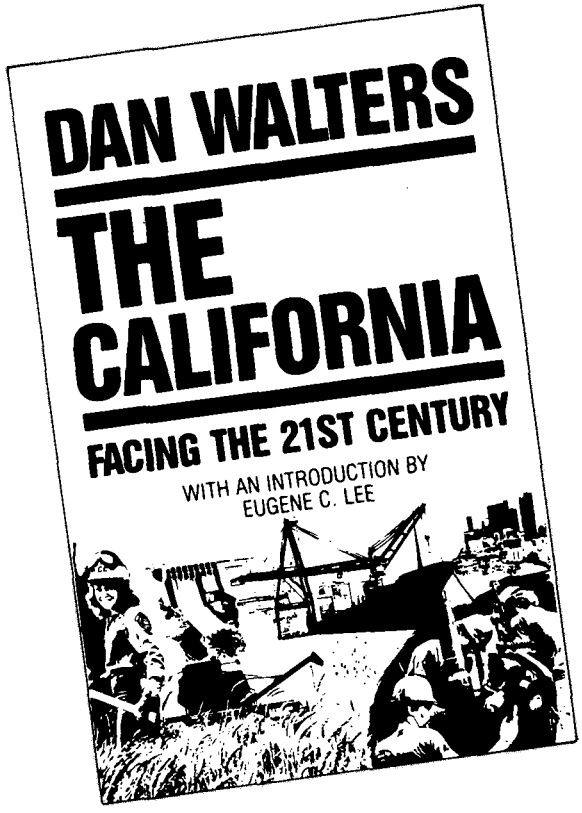

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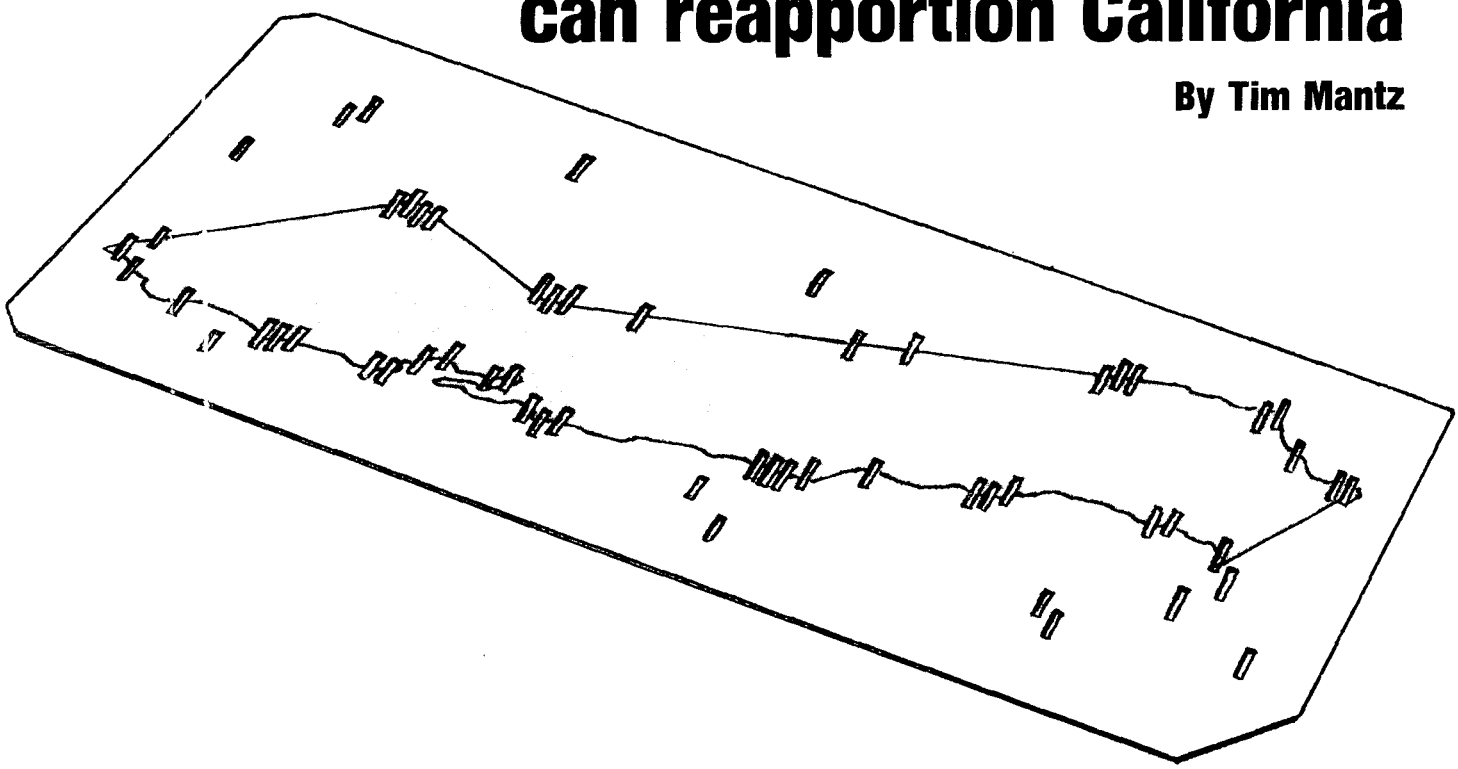
With a new computer, you, too, can reapportion California

By Tim Mantz



Until recently, reapportionment has been more alchemy than chemistry; more art than science. But now some say that drawing new district lines is within the grasp of everyone with a home computer. Indeed, a measure on the June ballot, Proposition 119, was based on that premise.

But have we come that far? Or will reapportionment, at least for one more round, remain in the hands of a few experts with powerful computers and expensive programmers at their command?

The central issue is the availability of census and political data, and the ability to mesh the two while still meeting the requirements of law.

Professor Alan Heslop of the Rose Institute at the Claremont Colleges in Pomona, addressing this issue, said, "Both are right; it depends on what type [of redistricting process] you're talking about. ... The thing that makes redistricting complex is incumbent politics." For Heslop it is "competing and conflicting desires of self-interested legislators."

Anthony Quinn, vice president of the Braun Company, worked on redistricting for the Republicans the last time the state was reapportioned, in 1982. He does not believe that anyone else but the Rose Institute and legislative Democrats and Republicans can accomplish reapportionment in the state of California.

"I don't know who else does," Quinn replied, when asked who else has the capability to accomplish the task. In the last census, Republicans used the computer system at the Rose Institute.

For Quinn there is "no computer program that will be able to do this.' The toughest part will be to divide the state up into equitable parts that will have the district populations within a variation of no more than 1 percent.

Even with the assistance of the Rose Institute's program last time, Quinn said there still was "a lot of nitty gritty work."

But Proposition 119 on the June ballot was based on the notion that reapportionment plans are within the grasp of a large number of groups in the state. The measure would have taken reapportionment out of the hands of the Legislature and turned it over to a bipartisan 12-member commission. However, this commission would not have to draw the lines. Instead, it would have received plans submitted to it by anyone who wanted to do so. The commission was then to choose the plan that most closely met the initiative's requirements, which included: having districts equal in population, which is also required because of federal court rulings; putting two Assembly districts inside of one Senate district; maintaining regional boundaries specified in the proposition and meant to prevent some county and regional lines from being crossed; keeping as many city and county boundaries intact as possible; making sure the districts are as compact as possible according to a formula specified in the plan; and keeping party registration within 2 percent of the state registration average in as many districts as possible.

San Mateo County Supervisor Tom Huening, a major sponsor of the initiative measure, argued that meeting all the standards would have been easy.

"Phil Burton did his redistricting on the back of an envelope," was a example Huening repeated during the campaign to show how easy redistricting could be. The late Democratic Congressman Burton carved out a reapportionment plan that has given Democrats a lock on a majority of the state's congressional delegation for the past eight years.

Continued on next page

Tim Mantz is a California Journal *intern.*

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Those who believe that reapportionment has become easy are relying on new information that will be available as a result of the 1990 census. The U.S. Census will, for the first time, provide maps of the state and its census data in disk form for use in a computer. According to Huening, "You just have to manipulate it."

"Probably for $10,000 you can be in the redistricting business," Huening said, adding that there are about 20 firms that would be suited for the work.

Even if not everyone can afford the equipment necessary for their own plans, Huening believes just about any group could hire one of these firms to prepare a reapportionment plan. This would be to serve the needs of those who would not be able to afford to do it themselves. Huening offered an example that, "Perhaps the Hispanics will contract with one of these companies to create a plan suitable to them."

But Timothy Hodson, consultant to the state Senate Elections Committee, believes that redistricting will still need to be in the hands of the experts. He notes, for example, that all reapportionment plans must meet federal law requirements that they not disenfranchise minority groups.

Those who believe that reapportionment cannot be easily done note that to divide the state, all the information from the U.S. Census Bureau must be merged with registration information maintained by the counties. With the failure of the two reapportionment initiatives on the ballot, it will be only the experts who need this much number-crunching capacity.

However, a number of experts believe that the new computers and programs will make it much easier for outsiders to analyze the plans drawn up by the professionals. This type of analysis can be done one district at a time on smaller-capacity computers. There is no need to hold the massive amounts of information needed to process the entire state at one time.

For the first time this year detailed demographic information will be available at a reasonable rate to just about anyone who wants it. For the first time, this information from the Census Bureau will be available on computer disks called Topographically Integrated Geographic Encoding and Referencing (TIGER) files. This data system has plotted out the United States geographically and allows the user to manipulate specific pieces of information that are tied to these locations. The new computer programs will allow precinct and census data to be merged into these files.

Using this file will make it possible for the computer to do work previously done by hand. In most cases, the files will not be sold directly from the Census Bureau to the public. But a variety of private firms plan to market the information, usually in conjunction with computer mapping programs. These firms will make the information contained in the TIGER files easier to access. Even so, the files are enormously long. For example, Mike Gustafson, executive vice president of Strategic Mapping, which manufactures one of these mapping programs, estimates that the TIGER file for Los Angeles County will use about 100 megabytes of memory — enough to fill the hard disks of all but the largest desktop computers. Still, the entire TIGER file for California will cost only $2000, and smaller pieces of it — say the size of a new congressional or state Senate district — can be manipulated by most of the newer personal computers.

The information from these files will be used in new programs known as Geographic Information Systems (GIS) that link data with specific geographic areas. The programs have a wide variety of uses, from marketing to city planning, and they are the basis of programs that will simplify the reapportionment process.

Using these programs, the computer operator can draw a district of any shape on a map on the computer screen and the computer will then calculate information about the people living in that district.

According to Richard Schweitzer of Sammamish DataSystems in Belleview, Washington, another firm marketing reapportionment software, the new technologies "open the process up to more players. The same tools that had been available only to professionals will now be in the hands of interest groups and groups that have been excluded in the past."

To analyze the work of others, the lines merely have to be copied into the computer, which can then tell the operator all about who lives in that district and, if the right information is there, how those people are likely to vote.

Pre-census versions of these programs are already being offered for sale.

Some of the more sophisticated data for reapportionment, however, could be hard to collect. Detailed voter-registration information, for example, is kept by each county and would have to be collected and then translated into a form the computer can understand. Including past voting histories is an even more daunting task because these, too, are kept by counties and are reported by elections precincts — which can change from election to election.

During the reapportionment process of the early 1980s, the Legislature was very secretive about its activities. Maps of new districts were often unavailable. Often the only thing the public could obtain were indecipherable written descriptions.

But with the new computer software, turning these descriptions into maps becomes a much easier task. The written words can be followed using a pointer on the computer screen until the district is complete. As a result, the Legislature can expect that more groups will be able to critique their handiwork in a timely fashion. It is perhaps a bow to this that legislative leaders have already promised that the reapportionment process this time — despite the defeat of the two initiative measures — will be more open than in the past.

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OUR QUOTES WEAR WELL

By KEN HOOVER
SACRAMENTO (UPI) An angry Assembly Speaker Willie Brown denied Tuesday he told the League of Women Voters it should "stay in the kitchen where it belongs," and he denounced reporters who said he did.

The comment supposedly was made during a speech on March 16 at a women's conference in Ontario.

It was reported in "Political Pulse," a Sacramento newsletter widely circulated among political insiders and the press and was picked up by newspapers around the state.

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BALLOT FRONT

A roundup of statewide initiative proposals. All statutes require 372,178 valid signatures; constitutional amendments require 595,485. In parentheses is the deadline for sponsors to submit signatures to county clerks, and the issue of California Journal that contains a full explanation of each measure. The full texts of all initiatives may be obtained from the Secretary of State's election division, 1230 J Street, Sacramento CA 95814.

Continuing in circulation:

GAMING COMMISSION. SPORTS WAGERING — an initiative constitutional amendment and statute sponsored by Democratic Assemblyman Richard Floyd of Gardena. (May 29th, February 1990 *CJ*)

HEALTH CARE COVERAGE — an initiative constitutional amendment sponsored by the chairman of California 2000, Michael Weinstein of Los Angeles. (June 11th, March 1990 *CJ*)

TERMS OF OFFICE. PUBLIC OFFICERS' RETIREMENT. RESIGNATIONS — an initiative constitutional amendment, sponsored by William Sullivan of San Ramon, Judi Haderer of San Bruno, and Tom Mezger of Yolo. (June 18th, March 1990 *CJ*)

TERMS OF OFFICE. PUBLIC OFFICERS RETIREMENT. RESIGNATIONS. MISUSE OF PUBLIC FUNDS — an initiative constitutional amendment, sponsored by Lee Phelps of Aptos. (June 18th, March 1990 *CJ*)

TIMBERLAND ACQUISITION. BOND ACT — an initiative statute, sponsored by Patrick Shannon of Willow Creek. (June 18th, March 1990 *CJ*)

HOUSE OF COMMONS — an initiative constitutional amendment, sponsored by Eric Jacobson of Los Angeles. (June 21st, March 1990 *CJ*)

COMMISSION ON CIVILIAN ECONOMY. APPROPRIATION. TAX DEDUCTION — an initiative statute, sponsored by Lila Garrett, Suzanne Marks and Ronald DiNicola of Los Angeles. (June 21st, March 1990 *CJ*)

CRIMINALIZED DRUG LAWS — an initiative statute, sponsored by Thomas Neece of Redwood Valley. (June 29th, March 1990 *CJ*)

MARIJUANA — an initiative statute, sponsored by Thomas Neece of Redwood Valley. (June 29th, March 1990 *CJ*)

REAPPORTIONMENT BY LEGISLATURE; SUPREME COURT. JUDICIAL REVIEW — an initiative statute and constitutional amendment, sponsored by Wade Bruce Lee II of Sacramento. (July 2nd, March 1990 *CJ*)

REAPPORTIONMENT BY LEGISLATURE; SUPREME COURT. JUDICIAL REVIEW — an initiative constitutional amendment, sponsored by Richard Noble of Los Angeles. (July 2nd, March 1990 *CJ*)

STATE ADMINISTERED AUTO INSURANCE. AUTO CLAIMS COURT — an initiative constitutional amendment, sponsored by Voter Revolt and its executive committee (including Proposition 103 sponsor Harvey Rosenfield). (July 9th, April 1990 *CJ*)

CHILDREN'S SERVICES. APPROPRIATIONS. SURTAXES — an initiative constitutional amendment, sponsored by Bill Zimmerman of Santa Monica. (July 23rd, April 1990 *CJ*)

TIMBER HARVESTING. FORESTRY PROGRAM. BOND ACT — an initiative statute, sponsored by Wesley Higbie of the Timber Association of California in San Mateo. (July 23rd, April 1990 *CJ*)

FORESTRY PROGRAM. TIMBER HARVESTING. BOND ACT — an initiative statute, sponsored by George Craig of Oakland. (July 23rd, April 1990 *CJ*)

FOREST PROTECTION. TIMBER HARVESTING. BOND ACT — an initiative statute, sponsored by Thomas Lippe of San Francisco. (July 26th, April 1990 *CJ*)

PRESIDENTIAL PRIMARY — an initiative statute, sponsored by Democratic Assemblyman Mike Roos of Los Angeles. (July 30th, April 1990 *CJ*)

TRIAL BY JURY, INSTRUCTIONS — an initiative constitutional amendment, sponsored by Marion McEwen and Wayne Nygren of Hayward. (August 13th, May 1990 *CJ*)

ALIEN LAND OWNERSHIP — an initiative constitutional amendment, sponsored by Mark Peters of Glendora. (August 17th, May 1990 *CJ*)

PEST ERADICATION — an initiative statute, sponsored by Democratic state Senator Art Torres and Patricia Prickett of Hacienda Heights. (September 7th, May 1990 *CJ*)

PRIVATE PROPERTY, COMPENSATION FOR PUBLIC USE — an initiative constitutional amendment, sponsored by Thomas Herman of Crescent City. (September 11th, May 1990 *CJ*)

PESTICIDE REGULATION AND APPLICATION — an initiative statute, sponsored by Oscar Singer of Los Angeles. (September 11th, May 1990 *CJ*)

FIREARMS REGULATION — an initiative statute, sponsored by Kevin Patterson of Camino. (September 20th, June 1990 *CJ*)

Qualified for the November 1990 ballot:

NATURAL ENVIRONMENT. PUBLIC HEALTH. BONDS — an initiative statute sponsored by Attorney General John Van de Kamp, Democratic Assemblymen Lloyd Connelly of Sacramento and Tom Hayden of Santa Monica, Albert Meyerhoff of the National Resource Defense Council in San Francisco, Michael Piker of Sacramento, Carl Pope of Berkeley and Bob Mulholland of Chico. Known as "Big Green." (February 1990 *CJ*)

Petitions submitted to county registrars for verification of signatures prior to certification:

CRIMES. TAXATION. BONDS — an initiative constitutional amendment, sponsored by Attorney General John Van de Kamp. (February 1990 *CJ*)

GOVERNMENT OFFICIALS. ETHICS. CAMPAIGN FINANCING — an initiative constitutional amendment and statute sponsored by Attorney General John Van de Kamp, John Phillips of Los Angeles and Mayor Tom McEnery of San Jose. (February 1990 *CJ*)

MARINE RESOURCES — an initiative constitutional amendment sponsored by GOP Assemblywoman Doris Allen of Cypress. (February 1990 *CJ*)

ALCOHOL SURTAX FUND — an initiative constitutional amendment sponsored by Andrew McGuire of Sacramento. (February 1990 *CJ*)

FOREST PROTECTION. TIMBER HARVESTING. BOND ACT — an initiative statute sponsored by Robert Bennett Sutherland of Redway and Cecelia Lanman of Arcata and supported by Forests Forever of Ukiah. (February 1990 *CJ*)

INITIATIVE AND REFERENDUM PROCESS — an initiative constitutional amendment, sponsored by Joel Fox of the Howard Jarvis Taxpayers Association in Granada Hills. (March 1990 *CJ*)

STATE, LOCAL TAXATION — an initiative constitutional amendment, sponsored by Richard Gann of Folsom and by Joel Fox of the Howard Jarvis Taxpayers Association in Granada Hills. (March 1990 *CJ*)

PESTICIDE REGULATION — an initiative statute, sponsored by Joel Nelson of Visalia, Bob Vice of Fall Brook, and Leland Ruth and Dennis Merwin of Sacramento. (April 1990 *CJ*)

DRUG ENFORCEMENT AND PREVENTION. TAXES. PRISON TERMS — an initiative statute sponsored by Lieutenant Governor Leo McCarthy. (May 17th, February 1990 *CJ*)

TERMS OF OFFICE. LEGISLATORS' RETIREMENT. LEGISLATIVE OPERATING COSTS — an initiative constitutional amendment sponsored by Los Angeles County Supervisor Pete Schabarum, and by J.G. Ford Jr. and Lewis Uhler of Loomis. (June 18th, March 1990 *CJ*)

PRISON INMATE LABOR. TAX CREDIT — an initiative constitutional amendment and statute, sponsored by Governor George Deukmejian. (June 21st, March 1990 *CJ*)

Failed to qualify:

REAPPORTIONMENT BY COMPUTER FORMULA — an initiative constitutional amendment sponsored by Ken Gow of Whittier. (May 21st, February 1990 *CJ*)

Source: Secretary of State

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The impossible dream:

Buying a home in California

By David Goldstein

To a great extent, California was built on the dream of a home in the suburbs. But for many Californians, that home will remain precisely that: a dream

The price of housing has increased so quickly in recent years that, according to the Califoria Association of Realtors, only 19 percent of the state's households can afford to purchase an average-priced home. By contrast, 47 percent of all households nationwide can afford an average-priced home.

David Goldstein is a California Journal *intern.*

While real estate values have steadily increased in California since World War II, it is only in the past few years that they have escalated so dramatically, passing $200,000 by the end of 1989 and nearly doubling since 1985.

The gap has left California with fewer homeowners than other states. Some 55 percent of Californians live in their own homes, compared with 64 percent of households nationally. This is the case despite the fact that the average household income in California is some $3000 higher than the national average.

Things have gotten so bad that residents from other states are starting to blame Californians for their own hous-

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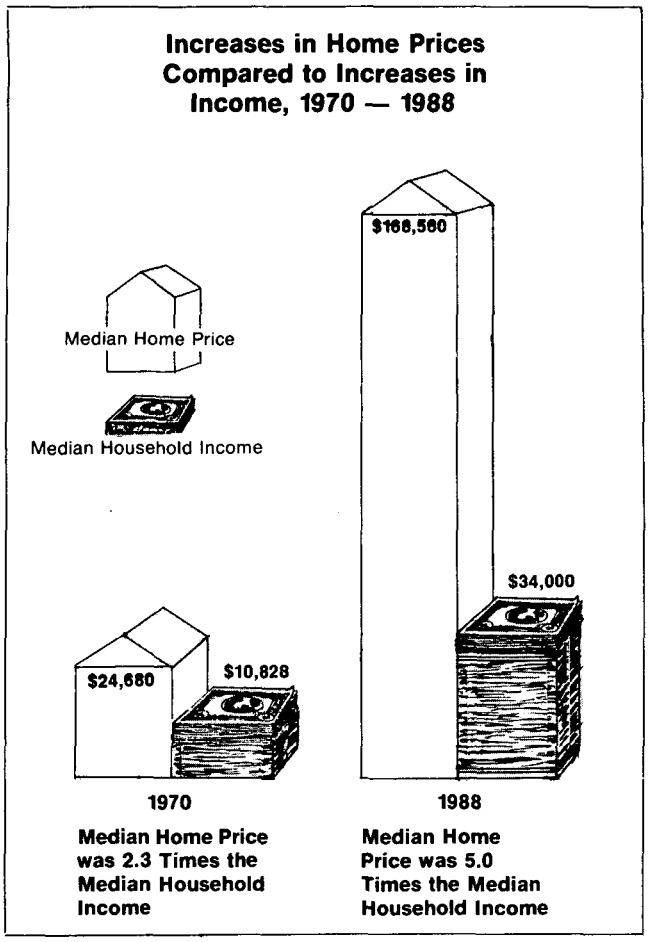
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$166,560
$34,000
1970
1988
Median Home Price was 2.3 Times the Median Household Income
Median Home Price was 5.0 Times the Median Household Income

ing woes. In Washington state, for example, California residents, coming into the state with pockets full of cash from homes sold here, are widely blamed for the recent rise in housing costs.

The reason California housing prices have skyrocketed can be blamed on what the legislative analyst's office refers to as a tangled web of factors.

First, developers want to build more expensive houses with larger lot size, bigger structures and more bathrooms. In the short period from 1983 to 1987 the size of an average new single-family home increased by 220 square feet, and twice as many new homes were built with at least 2.5 bathrooms. In the '60s and '70s, qualitative factors such as bathrooms had only a minor effect on home prices.

Market forces have also acted to increase prices. Increased demand for scarce housing in the urban areas of Los Angeles and San Francisco has gone unmet due to a shortage of buildable lots, forcing up the price of existing housing and forcing those who want homes to move to distant suburbs, where construction costs remain relatively low. This migration has fueled housing-construction booms in inland areas such as Riverside and San Bernardino counties in Southern California, and in the San Joaquin Valley and I-80 corridor between the Bay Area and Sacramento in Northern California.

Measures to control growth also have fueled the increases, accounting for a decline in residential building activity since 1986 — especially the construction of multifamily dwellings. In 1989 approximately 230,000 new building permits were issued for residential housing — about 80,000 less than in 1986.

Finally, the analyst's office indicates that at least some of the price increase has been fueled by "speculative in-

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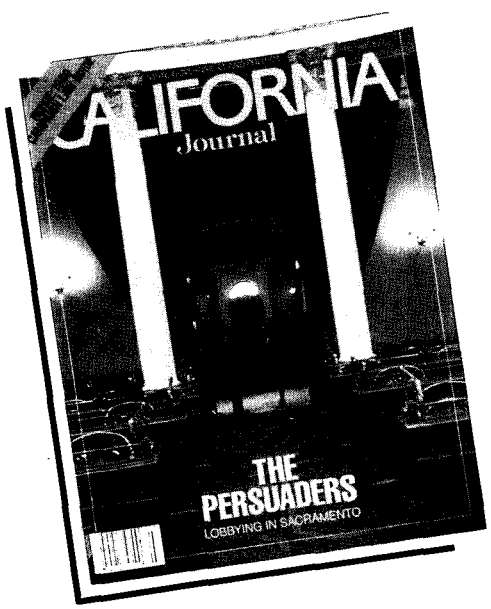

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vesting." Plus, California, like Washington, is experiencing increased demand for its real estate among non-Californians.

California's housing crunch exists despite the fact that government has provided a substantial amount of money trying to provide more affordable houses, particularly for first-time home buyers. These programs are administered at the federal, state and local levels, with the federal government providing the bulk of the money. Not only does the U.S. government administer direct mortgage loans and housing-development grants through the Department of Housing and Urban Development (HUD) and the Federal Housing Administration (FHA), but it also underwrites local efforts by allowing states and municipalities to issue tax-exempt bonds. State bodies, like the California Housing Finance Agency, are thus highly dependent upon policy makers in the nation's capital when raising money for their programs.

As a state, California provides the bulk of its loan and development assistance through the Department of Housing and Community Development and the California Housing Finance Agency. Housing and Community Development administered nearly $281 million worth of various programs in the 1989-1990 fiscal year. The largest program provided $159 million for low-interest loans for "general and seismic rehabilitation of low-income housing." Voters approved the bulk of this money by passing Propositions 77 (June) and 84 (November) in 1988.

Other Housing and Community Development programs include the Rental Housing Construction Program and the Emergency Shelter Program. The former provided $55 million, supplied by Proposition 84, in deferred-pay-

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New from California Journal!

California's Budget Dance: Issues and Process

By Richard Krolak

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ment, low-interest loans for the construction of low-income rental housing. Emergency Shelter provides some $16 million in grants for the management, rehabilitation, and building of emergency shelters for the homeless.

The California Housing Finance Agency was created in 1975 by the Legislature as a tax-exempt organization to address the need for affordable housing among the state's moderate-to low-income families. The agency provides below-market interest-rate mortgage loans financed by selling tax-exempt bonds. The program is self-financing, with its expenses reimbursed solely through the repayment of its loans. During the fiscal year of 1989-90, the agency was able to issue a new high of 6733 loans totalling $586 million. Federal laws determine who qualifies for these below-market loans.

The two state agencies together receive a substantial amount of money but, according to state officials, it still isn't enough. John Witzel, deputy director of public affairs and marketing at the Housing Finance Agency, says that requests for loans by low- to moderate-income people total "twice as much money as we have to give."

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Yet the rapidly-increasing cost of housing is dwarfing the state's efforts — a fact recognized by both Democrats and Republicans.

In his January State-of-the-State address, Governor George Deukmejian proposed a $2 billion housing initiative to address the question of affordable housing. His proposal, if enacted, would both extend existing programs and create a new one.

The first part of his plan would channel money into those areas of the state where housing is still considered "affordable" by giving the state HFA a 50 percent increase in the amount of money it may lend. Over a five-year period, this would make another $1 billion available for low- to moderate-income houses.

The money would be raised through the issuance of tax-exempt bonds, and it would then be allocated according to federal guidelines — that is, only first-time home buyers of median-income or below could receive loans for the purchase of homes by obtaining loans from commercial firms at 2 percent below the conventional market rate because the money is tax-exempt. The program makes it easy for first-time buyers by requiring only a 5 percent down payment. Mortgages are at fixed rates for 30 years.

The second part of the governor's proposal focuses upon "high-cost" areas such as Los Angeles and the San Francisco Bay area. These areas can't be reached by existing state programs because federal law mandates that tax-exempt bonds be used only to aid people of median income or below in purchasing homes of limited value. There just aren't many homes in these expensive areas that meet federal rules.

To get around these restrictions, Deukmejian proposed an issue of $800 million in taxable securities, portions of which would be lent out at market rates in the form of a first mortgage loan. But the real incentive would come from a $200 million state general obligation bonds that would provide down payments to otherwise qualified buyers in these high-cost areas. These down-payment loans would have an interest rate of only 3 percent, and none of the money would have to be repaid until the homes were sold. The governor has not yet said what sort of restrictions should be placed on who will get these loans. This part of the program would also cost $1 billion over a five-year period.

Deukmejian put his program into bills introduced in the Senate and Assembly. Democrats have joined the fray by introducing their own bills, and tied their legislation to the governor's efforts. Senate President pro Tempore David Roberti of Hollywood has proposed a Housing and Earthquake Safety Bond Act to be presented to voters in November. If passed, this measure would call for $165 million in general-obligation bonds to provide for the acquisition and preservation of rental housing units.

Although Democrats and Republicans all seem to agree that something needs to be done, there is still disagreement about just what form the assistance should take. Democrats are skeptical of Deukmejian's plan to aid higher-income buyers in the state's high-cost areas, but have allowed the governor's programs to advance through the Legislature.

But as a price, Democrats have also insisted on passage of measures that would make more housing — particularly low-cost rental housing — available to low-income residents than Deukmejian has requested. So far, Deukmejian has not taken a position on this additional money, and horse-trading on this issue can be expected before measures make it to the November ballot for voter approval.

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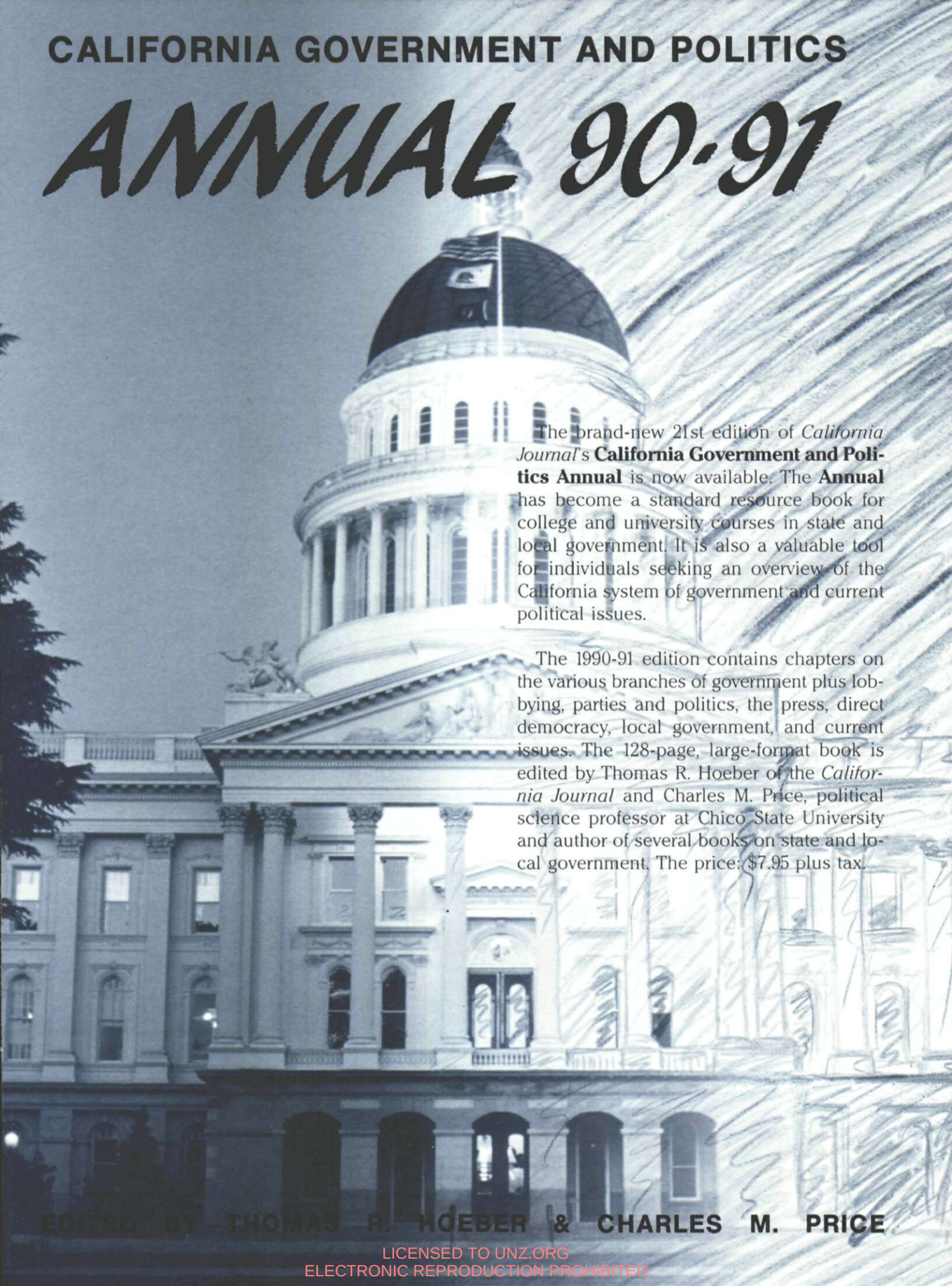

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WASHINGTON PERSPECTIVE

By LARRY LIEBERT

Feinstein's star power

One of the great intangibles of politics is star power. Charisma is not necessarily something you either have (Jesse Jackson) or don't (Leo McCarthy). An otherwise down-to-earth politician can sometimes be transformed by a confluence of circumstances into the dazzling embodiment of the public's collective aspirations.

WHICH BRINGS US TO DIANNE FEINSTEIN. I covered Feinstein when she was the popular, attractive but altogether mortal mayor of San Francisco. As a reporter now based in Washington, it was fascinating to me to return to California and catch her act on June 5th, the night she trounced John Van de Kamp in the Democratic primary for governor.

The mayor I remembered as sometimes haggard, defensive and thin-skinned was glowing, buoyant and supremely confident. Suddenly, she was a national phenomenon — the very model of a modern, moderate woman candidate.

It is that sense of exciting new possibilities that Feinstein will enjoy as her most formidable advantage going into the fall campaign against bland but reliable Republican Senator Pete Wilson.

"Join me," she said in her primary night victory speech, "a different kind of candidate, a different kind of Democrat, in our campaign for a different and better future."

After the stand-still conservatism of the Deukmejian years, Californians are ready for change. They want a more active and dynamic governor who can protect the environment, unsnarl gridlocked highways, improve education and crack down on crime.

Wilson has the task of persuading voters that he can satisfy that hunger for change but that Feinstein is somehow too risky and unreliable. Undoubtedly, he will portray Feinstein as too liberal, employing the standard Republican line of attack on a Democrat — and particularly on a Democratic woman. With Feinstein boasting of her support for the death penalty, and borrowing a motto off the side of L.A. police cars ("to protect and to serve"), that may not be so easy to pull off.

Nor will Feinstein be easy to tag with a "wacky San Francisco" label. Feinstein has often boasted of her willingness to "stand up" to San Francisco's liberal interest groups. In 1984, when Walter Mondale considered Feinstein for second spot on his presidential ticket, she assured him that she could rebut any effort to portray her as a pawn of gay rights groups by emphasizing her veto of "domestic partners" legislation that would have given quasi-marital status to gay couples.

It may be indicative that on primary night Wilson included AIDS on the list of problems he was determined to tackle as governor. Feinstein made no mention of the disease.

In the Fall, Wilson will accuse Feinstein of leaving San Francisco broke when she left the mayor's office. But Van de Kamp has already aired that charge, and primary voters seemed to shrug it off.

All in all, the San Franciscan ran a masterful primary campaign. Feinstein's "tough but caring" theme protected her from the nagging, sexist doubts about "softness" that often have caused voters to defect from women candidates at the last minute.

There were some tactical coups as well. Although powerful Los Angeles representatives Henry Waxman and Howard Berman never formally endorsed Feinstein, they allowed her to buy an endorsement on the phony but spectacularly successful Democratic "slate cards" that their political organization distributes by the millions.

But there were failures too, and some of those could turn into vulnerabilities for Wilson to exploit in the Fall. Those who have watched Feinstein over the years know that she tends to become obsessed with policy, that she immerses herself in the workings of government and can soak up hours of arcane discussion. As a candidate for governor, however, she has been so relentlessly vague on some state issues as to invite barbs that she is all style and no substance.

An editorial endorsing Van de Kamp in *The Sacramento Bee* portrayed Feinstein as an uninformed charmer along the lines of Ronald Reagan. In truth, the real-life Feinstein is much closer to Jimmy Carter in her tendency to become entangled in details. But candidates create their own personalities — and personality defects — through the image-making of a modern media campaign. (Remember George Bush, the swaggering tough guy of 1988.)

Feinstein's alliance with Democratic leaders of the Legislature creates questions about how much she would owe Willie Brown and company as governor. In the Fall, Wilson can appropriate Van de Kamp's pledge to "clean up the swamp" in Sacramento.

ALTHOUGH FEINSTEIN HAS ALWAYS BEEN A moderate even in her feminism — she has never had women in her inner circle and she resisted the comparable-worth concept — she went out on a limb in the primary by promising to appoint women and minorities to state jobs in proportion to their share of the population. Wilson is already attacking Feinstein's "quota" system.

For the moment, at least, Feinstein's big primary win has made her a national celebrity of the first order. And Californians seem captivated by the star power she is radiating.

Larry Liebert is Washington Bureau Chief of the San Francisco Chronicle.

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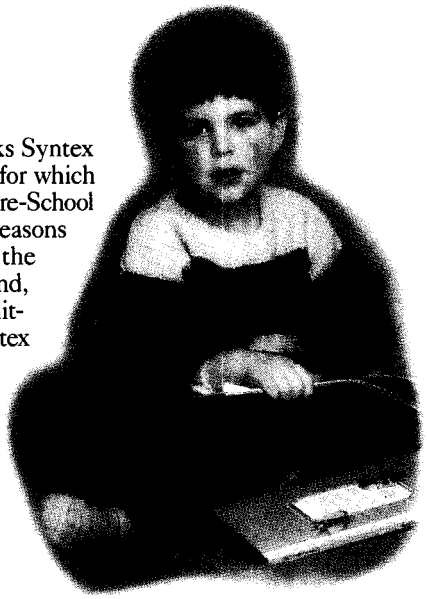
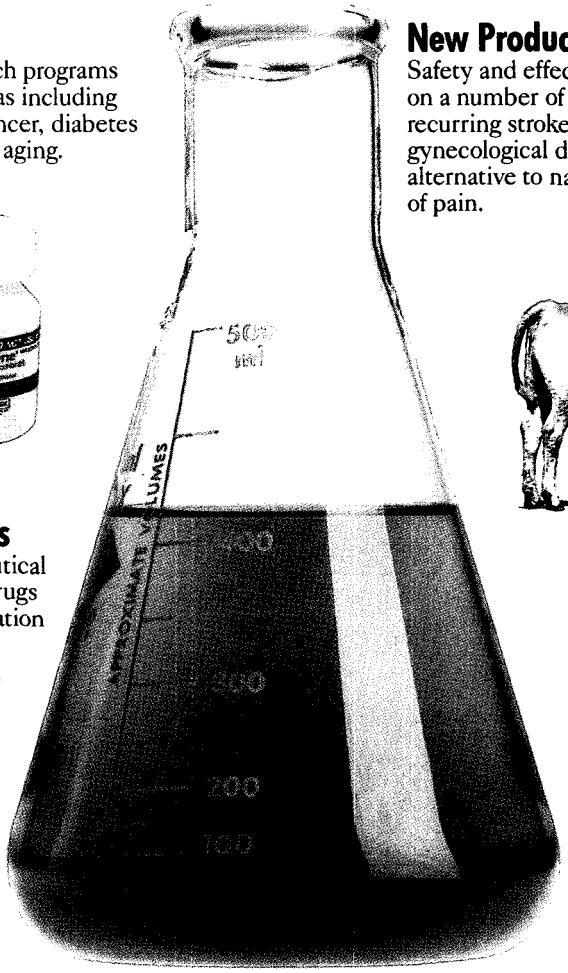
A Good Corporate Citizen

Working Mother magazine ranks Syntex among the top 10 companies for which women work. The Children's Pre-School Center was cited among the reasons Syntex is a leader in meeting the needs of working mothers. And, as an expression of our commitment to our communities, Syntex provides more than $3 million annually in corporate contributions, including numerous scholarships for those pursuing the life science studies.



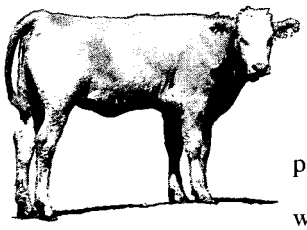
Research

Syntex has major research programs under way in several areas including arthritis, heart disease, cancer, diabetes and the diseases of aging.



New Products

Safety and effectiveness studies have been concluded on a number of new products: one to prevent initial and recurring strokes, one to treat endometriosis, a painful gynecological disorder, and another which is a potent alternative to narcotics for short-term management of pain.

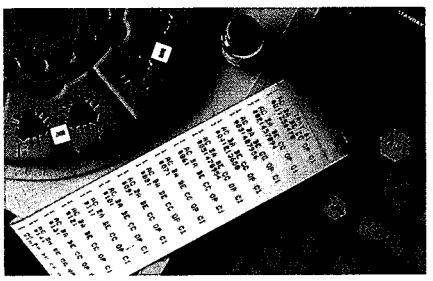


Animal Health

Our Animal Health products help feed America through safe growth-promoting agents for food producing animals. We also make products which control parasites in cattle, sheep, and horses.

Human Pharmaceuticals

Syntex prescription pharmaceutical products for humans include drugs which relieve pain and inflammation due to arthritis and other conditions, oral contraceptives, agents for the treatment of eczema, dermatitis, and psoriasis, a medication for hay fever and allergies, drugs to treat angina and hypertension, and a product to treat a certain viral infection that causes blindness in AIDS and other *immunocompromised* patients.



Diagnostics

Syva, our diagnostics company, manufactures tests that are used in 97% of the nation's drug testing laboratories which are certified by the National Institute of Drug Abuse. We have also developed tests for detecting sexually transmitted and other diseases.

Everything we do at Syntex is dedicated to improving the quality of life. Every day, Syntex products touch the lives of millions of Americans.

SYNTEX IS IN BUSINESS FOR LIFE.

SYNTEX
SYNTEX LABORATORIES, INC.
PALO ALTO, CA 94304

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